

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69876 of 2023

Arising Out of PS. Case No.-337 Year-2023 Thana- JHAJHA District- Jamui

Surendra Yadav Son Of Mahadev Yadav R/O Village - Tahwa, P.S. Jhajha,
District Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 07-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Jhajha P.S. Case No. 337 of 2023, registered on 05.07.2023 for the alleged offence under Sections 341, 323, 325, 307, 379, 504, 506/34 of the Indian Penal Code.

3. As per prosecution case, the petitioner and other co-accused persons who were variously armed entered into the house of the informant and started assaulting the inmates. When the informant resisted, the petitioner hit him on his head with rod. The sister-in-law of the informant was also assaulted by co-accused persons. They also snatched silver and gold ornaments from the lady inmates. The accused persons also took away Rs.19,000/- from the pocket of the informant.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village politics. The petitioner and the informant side are agnates and there is land dispute between them. Both sides are neighbours as well. The injury report of the informant shows fracture of ulna which is found to be grievous and the allegation of assault is against co-accused Birendra Yadav. Another injury is lacerated wound on apex of head/vertex of head of size 1"x1" approximately but the said injury is said to be simple. The petitioner has got no criminal history. The petitioner is in custody since 18.07.2023 and charge sheet has been submitted.

5. Learned APP vehemently opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances of the case and submissions made on behalf of the parties and considering the simple nature of injury allegedly caused by the petitioner and further considering the clean antecedent, period of custody and submission of charge sheet, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui/concerned court in connection with



Jhajha P.S. Case No. 337 of 2023, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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