

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68679 of 2022

Arising Out of PS. Case No.-117 Year-2021 Thana- NARPATGANJ District- Araria

Birendra Yadav @ Birendra Kumar Yadav Son Of Keshav Yadav R/O Village-
Panjarkatta, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mrigendra Kumar, Advocate
For the Informant	:	Mr. Kamal Kishore Singh, Advocate
For the Opposite Party/s	:	Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
07.10.2022 in connection with Narpatganj P.S. Case No. 117 of
2021, F.I.R. dated 13.03.2021 registered for the offence
punishable under Sections 147, 149, 341, 447, 347, 323, 324,
325, 307, 379, 504 and 506 of IPC.

Allegation against the petitioner is that he assaulted to
Bhawan Yadav by means of Farsa causing injury on his head
and thereafter co-accused Keshav Yadav has assaulted to
Bhawan Yadav in injured condition by repeated blow of lathi.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been



implicated in the present case due to admitted land dispute between the parties. Further submits that there is case and counter case and as per allegation in the FIR the petitioner has assaulted to Bhawan Yadav but there is no allegation of repetition of blow and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.10.2022.

Learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioner and submits that the injury report of Bhawan Yadav suggests that the injury is grievous in nature.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 117 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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