

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72159 of 2022

Arising Out of PS. Case No.-249 Year-2020 Thana- TRIVENIGANJ District- Supaul

RAVI YADAV @ RABI YADAV S/o Ramdev Yadav R/v- Malhanma, P.S.-
Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Roy, Advocate

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-01-2023 Heard the parties.

The petitioner is in judicial custody in connection with Triveniganj P.S. Case No.249 of 2020 (S.Tr. No.253 of 2021) instituted under Sections 447, 114, 341, 323, 379, 325, 147, 148, 149, 324, 307, 354(B)/34 of the Indian Penal Code.

The petitioner had earlier moved before this Court vide Cr. Misc. No. 71958 of 2021 which was rejected on 26.5.2022.

The allegation in the FIR is that the petitioner amongst other variously armed with *farsa*, *lathi* and *iron rod* assaulted the informant's side and specific allegation against this petitioner is that he gave a *farsa* blow on the head of the father-in-law of the informant, as a result whereof he suffered serious head injury. When the other family members of the informant



tried to save him, they too were assaulted with iron rod.

In view of the fact that the petitioner had chosen to evade arrest for one year, the bail application was rejected.

Learned counsel for the petitioner submits that he has already suffered by being in custody since 17.7.2021 (as stated in para-20 of the bail application) and is ready to cooperate in the trial.

Taking into account the aforesaid fact that he has been in custody since 17.7.2021 and is ready to cooperate in the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioners namely be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-1st, Supaul, in connection with Triveniganj P.S. Case No.249 of 2020 (S.Tr. No.253 of 2021) subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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