

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71717 of 2022**

Arising Out of PS. Case No.-128 Year-2022 Thana- JHAJHA District- Jamui

Pawan Yadav, S/O Daulat Yadav, R/O Village- Budhner, P.S- Jhajha, District-
Jamui

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 29-04-2023 Heard learned counsel for the petitioner and Mr.
Kumar Ranjit Ranjan, learned APP for the State.

Petitioner in the present case is seeking pre-arrest bail in connection with Jhajha P.S. Case No. 128 of 2022 registered for the offences under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code. The petitioner has no criminal antecedent.

As per the prosecution story, the informant alleged that as soon as he along with Md. Gulzar and Md. Kamrul reached near Budhner, the accused persons namely Pawan Yadav (this petitioner) and Ranjit Yadav along with three unknown persons stopped them and abused them. It is further alleged that this petitioner gave spade blow over head of the informant which caused head injury and co-accused Ranjit Kumar gave rod blow over head of Gulzar and Kamrul which



hit their back. It is also alleged that co-accused Ranjit Yadav took away Rs. 2000/- from the pocket of the informant and this petitioner snatched away one Titan watch from Gulzar.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. There are general and omnibus allegations against the petitioner and the nature of injury as opined by the doctor is said to be simple in nature.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is alleged that the petitioner had assaulted the informant by a spade but the injury report is suggesting that the injury was caused by hard and blunt substance, the petitioner is having no criminal antecedent, this Court directs that the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today shall be released on bail in connection with Jhajha P.S. Case No. 128 of 2022 on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, subject to the conditions as laid down under Section 438(2) of the



Cr.P.C.

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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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