

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.794 of 2023

Arising Out of PS. Case No.-80 Year-2020 Thana- BARHAT District- Jamui

JUGAL @ YUGAL YADAV S/o Late Kanhaiya Yadav R/o Village-
Banjhipayar, P.S.- Barhat, Distt- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mala Sinha

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-01-2023 Heard the parties.

The petitioners are in judicial custody in connection with Barhat P.S. Case No. 80 of 2020 for the offences under Sections 147, 148, 149, 341, 323, 385, 354 and 307 of the Indian Penal Code.

The petitioner had earlier moved for anticipatory bail vide Cr. Misc. No. 16311 of 2022 which was rejected on 13.7.2022.

The allegation in the FIR is that accused persons assaulted the informant, her husband and her son. The allegations have been attributed to accused persons inasmuch as against the petitioner Jugal @ Yugal Yadav, it has been alleged that he assaulted the informant lady on her ear and the injury was found to be grievous in nature.



Learned counsel for the petitioner submits that earlier the bail application was rejected on the ground that the injury was found to be grievous in nature and for the same, he has already suffered by being in custody since 3.2.2022 (as stated in para-14 of the bail application).

The learned APP on the other hand opposed the prayer for bail.

Taking into account the aforesaid facts that he has been in custody since 3.2.2022 and as per para-3 he do not have any criminal antecedent and he will be cooperating in the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner 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 Judicial Magistrate-1st Class, Jamui, in connection with Barhat P.S. Case No. 80 of 2020 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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