

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74049 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- KHODAWANDPUR District- Begusarai

Shri Krishna Yadav @ Krishna Yadav, Son of Late Saryug Yadav, R/v and
P.S.- Khodawandpur, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner learned APP
for the State.

The petitioner in the present case is seeking pre-arrest
bail in connection with Khodawandpur P.S. Case No.133 of
2022 registered for the offences punishable under Sections 341,
323, 307, 354(B), 379, 504 and 506/34 of the Indian Penal
Code. He has one criminal antecedent.

As per the prosecution story, the petitioner along with
other named accused persons assaulted the informant by iron
rod on his head due to which he fell down and received head
injury.

Learned counsel for the petitioner submits that both
the parties are own gotiyas and there is a land dispute between
the parties. Learned counsel submits that there is a counter case



being Khodawandpur P.S. Case No.134 of 2022 lodged by the petitioner's side and the injury found on the body of the informant is not dangerous to the life. It is submitted that the petitioner is an old aged person about 88 years.

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

Having regard to the facts and circumstances of the case, considering that both the parties are own gotiyas, there is a land dispute between the parties and they have lodged case against each other, there is a counter case being Khodawandpur P.S. Case No.134 of 2022 lodged by the petitioner's side, the injury found on the body of the informant is not dangerous to the life and the petitioner is an old aged person about 88 years, this Court directs release of the petitioner above named on bail in the event of his arrest or surrender within a period of four weeks from today in connection with Khodawandpur P.S. Case No.133 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 S.D.J.M., Manjhaul, Begusarai, 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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