

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.205 of 2023

Arising Out of PS. Case No.-211 Year-2022 Thana- HALSI District- Lakhisarai

=====

AANDHI YADAV Son of Late Mangar Yadav R/V- Kanaisi, PS- Halsi, Dist-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
20.10.2022 in connection with Halsi P.S.Case No.211 of 2022,
F.I.R. dated 07.08.2022 registered for the offence punishable
under Section 341,323,325,307,504,34 of the Indian
Penal Code.

The prosecution case, in short, is that on 06.08.2022
at about 7.30 PM, the informant alleged that he and his father
was talking in front of his house, all the accused persons
including the petitioner armed with rod, Khanti, Farsa and Katta
with common intention came there and started to assault on the
head of the father of the informant by means of Farsa, Katta,
Tangi, Khanti, iron rod and Lathi and when his brother



Dharmendra Yadav came to save him then all the accused persons assaulted him with rod and lathi and due to which the hand of his brother fractured.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that it appears from the FIR that there is no specific allegation of any assault or overt-act attributed against the petitioner. There is general and omnibus allegation against the petitioner. Further submits that there is case and counter case between the parties and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.10.2022.

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

Considering the aforesaid fact, 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 Judicial Magistrate, 1st Class, Lakhisarai in connection with Halsi P.S.Case No.211 of 2022,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)

Nitesh/-

U		T	
---	--	---	--

