

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.773 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- SONO District- Jamui

Binod Yadav Son Of Late Baleshwar Yadav R/O Village- Amjhari, P.S.- Sono,
District- Jamui Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Akash Raj, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 15-05-2023 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Sono P.S Case No. 180 of 2022 registered for the offences punishable under Sections 341, 323, 447, 448, 354(A), 307, 379, 504, 506 and 34 of the Indian Penal Code. He has got no criminal antecedent.

The informant in his written report alleged that in the background of land dispute Binod Yadav (this petitioner) caused bleeding injury on his head by spear. It is further alleged that all the FIR accused named persons entered in his house and took away the valuable ornament.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the injuries are simple in nature.

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 wherein it appears that the dispute between the parties is over partition of land and house, in the alleged occurrence this petitioner is said to have assaulted, however, the injury report available with the case diary shows that the injury is simple in nature, the petitioner has otherwise no criminal antecedent, hence, 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 Sono P.S. case no. 180 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of Sri Pranav Kumar, learned J.M. 1st Class, 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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