

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4644 of 2024**

Arising Out of PS. Case No.-145 Year-2023 Thana- BIHIA District- Bhojpur

1. Santu Yadav Son Of Sikandar Yadav Resident Of Village- Charghat, Ps- Bihiya (bahoranpur), Distt- Bhojpur
2. Sikandaer Yadav Son Of Jageshwar Yadav Resident Of Village- Charghat, Ps- Bihiya (bahoranpur), Distt- Bhojpur
3. Krishna Yadav Son Of Sikandar Yadav Resident Of Village- Charghat, Ps- Bihiya (bahoranpur), Distt- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate  
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      21-03-2024                      Heard Mr. Shiv Prasad Gupta, learned counsel for the petitioners and Mr. Madhura Nand Jha, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bihiya (Bahoranpur) P.S. Case No. 145 of 2023, F.I.R. dated 13.06.2023 for the offences punishable under Sections 341, 323, 307, 354, 504 and 506/34 of the Indian Penal Code.

3. According to prosecution case, petitioner no. 1 caught hold the hand of the daughter-in-law of the informant with bad intention. Thereafter, when informant along with other



family members made a complain then all these petitioners have abused and assaulted them.

4. Learned counsel for the petitioner submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation against the petitioners are that they have assaulted the informant on his head due to which she sustained injuries but the injury report of the informant suggests that she has received two injuries and the injury no. 1 is simple in nature and injury no. 2 is pain in chest and the opinion was reserved with regard to injury no. 2.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances as well as nature of injury, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Bihiya (Bahoranpur) P.S. Case No. 145 of 2023, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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)**

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