

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11119 of 2024

Arising Out of PS. Case No.-527 Year-2023 Thana- RAXAUL District- East Champaran

Gudu Yadav @ Ajay Yadav @ Guddu Yadav S/O Bhulan Yadav R/O Village-
Sundarpur Road, Ward No.-4, P.S- Raxaul, Distt.- East Champaran At
Motihari.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar, Adv.

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Raxaul P.S. Case No.527 of 2023 arising out of G.R. Case
No.1140 of 2023 lodged under Sections 341, 323, 324, 307,
506/34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against one named and four unknown accused persons
including the petitioner against whom there is allegation that
petitioner has alleged to abuse the informant and threaten by
taking knife at his hand and subsequently, attacked on the
father-in-law and brother-in-law of the informant by knife due
to which injury took place.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the informant and petitioner are well-known to each other and they are own brother-in-law and they have some dispute relating to transaction of money due to which the dispute took place. He further submits that all offences are bailable except section 307 of the I.P.C. which has been specially added with a view to make this offence non-bailable.

5. Counsel further submits that petitioner is in custody since 28.11.2023 and there is one criminal case pending against him in which he is on bail. He also submits that charge-sheet has already been filed in this case.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Raxaul East Champaran at Motihari in connection with Raxaul P.S. Case No. 527 of 2023 arising out of G.R. Case No.1140 of 2023, subject to the



following conditions as laid down under Section 437(3) of Cr.P.C.

8. However, the petitioner shall be granted bail only on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

- i. Case No.075-C1-0021 for offence under section 323, 177(1), 145, 145(1)(a) Subsection 1 of the Muluki Faujdari Karyavidhi Sanghita of the country Nepal.

Prakashmani/-

(Dr. Anshuman, J.)

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