

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11583 of 2024

Arising Out of PS. Case No.-224 Year-2023 Thana- CIVIL LINE District- Gaya

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Suraj Yadav @ Suraj Kumar SON OF SRI UMESH YADAV R/O
MOHALLA- SHANTIBAG, ANTTA KOTHI, NEAR SUDHA DAIRY, P.S.-
CIVIL LINES, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-04-2024 Heard Mr. Manish Kumar No. 02, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Civil Lines P.S. Case No. 224 of 2023 for the offence under Sections 341, 323, 325, 326, 504 and 506 of the I.P.C. lodged on 28.03.2023 by the informant, Anshu Devi.

3. As per the prosecution story, the informant who is sister-in-law of the petitioner alleged that he came and assaulted her husband, causing injury on the head and further allegation is of biting the hand of the informant and assault. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that both are brothers, due to dispute, scuffle took place, the injury has



been found to be simple in nature and he do not have any criminal antecedent.

5. Learned APP opposes the prayer stating that he has assaulted his own brother as also the sister-in-law.

6. Taking into account the aforesaid fact that though allegation of assault is there, injury has been found to be simple in nature, subsequently, the family has also come to terms and the petitioner do not have any criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-I Class, Gaya in connection with Civil Lines P.S. Case No. 224 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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