

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14842 of 2024

Arising Out of PS. Case No.-593 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Lalchu Yadav S/o Kedar Yadav R/o Mohalla- Sansar Pokhar, P.S.- Kabaiya,
District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-03-2024 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Lakhisarai (Kabaiya) P.S. Case No. 593 of 2022, F.I.R. dated 14.07.2022 for the offences punishable under Sections 341, 323, 308, 504/34 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with two other accused persons have brutally assaulted the informant resulting into several injuries.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that due to petty disputes the present occurrence has taken place. He further



submits that there is case and counter case between the parties and there is direct and specific allegation against the petitioner that the has assaulted the informant by means of iron rod but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

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

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent and there is case and counter case between the parties and the injury is found to be simple in nature, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai (Kabaiya) P.S. Case No. 593 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

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

ii. 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.

iii. 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)

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