

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21784 of 2024**

Arising Out of PS. Case No.-153 Year-2023 Thana- ISHUPUR BARAHAT District-
Bhagalpur

Chandan Kumar Yadav @ Chandan Yadav S/O Balram Yadav R/O Village-
Daulatpur, P.S- Ishipur Barahat, Distt.- Bhagalpur.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Diwakar Upadhyaya, Advocate
For the State : Mr. Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Ishipur
(Barahat) P.S. Case No. 153 of 2023 instituted for the offence
under Sections 341, 323, 325, 307, 384, 504, 506 & 34 of the
Indian Penal Code.

3. As per the prosecution case, the informant was
assaulted by co-accused persons, including this petitioner by
means of iron rod.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 24-12-2023. Petitioner is
stated to be man of clean antecedent.

5. It has been further submitted by the petitioner's



counsel that petitioner has been falsely implicated in the present case. It is submitted that the petitioner has not assaulted the informant. Petitioner was merely the order giver. So far as allegation of firing is concerned, it is submitted by referring to the impugned order that bullet missed the target and no fire arm injury was caused. From perusal of the impugned order, it would reveal that injury sustained on the head of the informant is simple in nature while injury sustained on hand is grievous in nature, which was caused by co-accused. It is lastly submitted that charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, clean antecedent of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Ishipur (Barahat) P.S. Case No. 153 of 2023, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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