

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20814 of 2024

Arising Out of PS. Case No.-563 Year-2023 Thana- JHAJHA District- Jamui

Baleshwar Yadav Son of late Ram Yadav Resident of vill.-Baliyo, P.S.-Jhajha,
Distt.-Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2024 Heard Mr. Satya Prakash Parasar, learned counsel for
the petitioner and Mr. Satyendra Prasad, learned APP for the
State.

2. The petitioner is apprehending his arrest
connection with Jhajha P.S. Case No. 563 of 2023, F.I.R. dated
09.11.2023 registered for the offences punishable under Sections
341, 323, 307, 504/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted
with *tangi* over the head of the informant due to which he fell
down on the ground and became unconscious.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. He further submits that as per allegation in the
F.I.R. the petitioner has assaulted the informant and although the



informant has received injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance. Learned counsel for the petitioner further submits that due to old enmity the petitioner's side has also filed Complaint Case No. 729(C) of 2020 against the informant and their family members and one F.I.R. was also instituted being Jhajha P.S. Case No. 563 of 2023.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he assaulted to the informant and the informant received injury and apart from that the petitioner carries two more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jhajha P.S. Case No. 563 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with



other following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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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