

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28219 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- KURTHA District- Jehanabad

Ram Badan Yadav Son Of Mohan Yadav Resident Of Village- Nadaura, Ps-
Kurtha, Dist- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-05-2024 Heard Mr. Ranjay Kumar Singh, learned counsel
for the petitioner and Mr. Umanath Mishra, learned APP for the
State.

2. The petitioner is apprehending his arrest connection with Kurtha P.S. Case No. 209 of 2023, F.I.R. dated 23.06.2023 registered for the offences punishable under Sections 323, 341, 308, 379, 504, 506/34 of the Indian Penal Code.

3. Allegation against the petitioner is that he assaulted on the head of the informant by means of *lathi* due to which he sustained injury.

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



some drainage dispute the present occurrence had taken place and there is case and counter case between the parties and the informant's husband is full brother of the petitioner. He further submits that 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.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts that the petitioner having clean antecedent and there is case and counter case between the parties as well as the injury report of the informant suggests that the injury is simple in nature, 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, Arwal in connection with Kurtha P.S. Case No. 209 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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