

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28756 of 2024

Arising Out of PS. Case No.-312 Year-2023 Thana- BELAGANJ District- Gaya

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RAM DARSHAN YADAV SON OF MAHAVIR YADAV RESIDENT OF
VILLAGE - CHUKA BIGHA, P.S. - BELAGANJ, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 15-05-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Belaganj P.S. Case No. 312 of 2023 instituted under Sections 323, 341, 504, 307, 379 and 34 of the Indian Penal Code lodged on 16.05.2023 by the informant, Mina Devi.

3. As per the prosecution story, the informant alleged that in a drunken state, the accused came and assaulted her grand-son. When she objected, was also assaulted by him as a result, she sustained injuries and further allegation is that he snatched the gold chain. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that a bare perusal of the FIR would show that the occurrence is of 10.5.2023 while the FIR was lodged on 16.5.2023. They are agnates, the petitioner do not have criminal antecedent and the



injuries have been found to be simple.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also the delay in lodging of the FIR coupled with the fact that he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Belaganj P.S. Case No. 312 of 2023 to the satisfaction of learned CJM, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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 co-operate in the investigation



and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) 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.

(Rajiv Roy, J)

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