

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35100 of 2024

Arising Out of PS. Case No.-82 Year-2023 Thana- SHANKARPUR District- Madhepura

Surendra Yadav Son of Late Dukha Yadav Resident of Village - Kolhua, Ward No.- 13, Police Station - Shankarpur, District - Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner in this case is seeking regular bail in connection with Shankarpur P.S. Case No. 82 of 2023 registered for the offences punishable under Sections 341, 323, 307, 353, 332, 333, 504, 506 and 34 of the Indian Penal Code. He is in custody since 17.02.2024. The petitioner has got one criminal antecedent in which he is on bail.

3. As per the prosecution story, on 20.05.2023 while the informant along with the police party had gone to investigate in connection with Mahila P.S. Case No. 13 of 2023, all the accused persons including the petitioner surrounded the police team and this petitioner is alleged to have assaulted Shivangi Kumari, ASI of the Police, on head due to which she got injury

on her eyes and head. It is alleged that wife of this petitioner also assaulted the informant by a sickle due to which she got cut injury on her hand.

4. Learned counsel for the petitioner submits that the alleged occurrence which allegedly took place on 20.05.2023 started all of a sudden when the ASI had gone in connection with investigation of Mahila P.S. Case No. 13 of 2023. The allegations are general and omnibus and the injuries caused to the injured ASI are simple in nature. The petitioner has already remained in custody for about six months.

5. Learned APP for the State has though opposed the prayer for regular bail of the petitioner but considering the nature of allegations and that the petitioner has already spent about six months in custody, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Madhepura in connection with Shankarpur P.S. Case No. 82 of 2023, subject to the condition as laid down under Section 437 (3) Cr.P.C.

6. 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 steps 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.

7. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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