

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42052 of 2024

Arising Out of PS. Case No.-133 Year-2023 Thana- SIGAUDI District- Patna

Ravi Yadav @ Ravi Prakash Kumar Son of Late Rajdeo Singh R/O Vill.-
Bahadurganj, P.S.- Sigori, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-07-2024 Heard Mr. Ajay Kumar Sinha, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner is in judicial custody in connection with Sigori P.S. Case No. 133 of 2023 for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act lodged on 13.8.2023 by the informant, Lalbabu Yadav.

3. As per the prosecution story, the accused persons armed variously came and gave assaulted the informant causing injury on the head. When his son came to the rescue, he was also assaulted and against this petitioner, the allegation is of opening fire. They subsequently, moved Paliganj Hospital for treatment and later the FIR.

4. It is the case of the petitioner that there is case and



counter case due to land dispute, they are agnates. The petitioner also suffered injury and the injury report is on record, one of which shows it to be grievous in nature. Earlier, his anticipatory bail application was rejected vide Cr. Misc. No. 21153 of 2024 on the ground that he has criminal antecedent and advised to surrender. He, accordingly, surrendered on 12.4.2024 (para-13 of the petition). The submission is that similar situation other accused against whom, omnibus allegation is there, have been granted relief.

5. Learned APP opposes the prayer submitting that allegation of assault is against the petitioner and he has criminal antecedent.

6. Taking into account the aforesaid facts as also that there is omnibus allegation, he has also suffered injury, is in custody since 12.4.2024, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, -1st Class, Danapur/successive Court, in connection with Sigori P.S. Case No. 133 of 2023 subject to the following conditions:



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) 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;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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