

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55864 of 2024

Arising Out of PS. Case No.-1328 Year-2023 Thana- KHAGARIA District- Khagaria

DAYARAM YADAV @ DAYANAND YADAV S/O LATE BISNI YADAV
R/O VILLAGE- UMESHNAGAR TARTAR, P.S- KHAGARIA
(MUFFASIL), DISTT.- KHAGARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-09-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 188, 323, 341, 307, 379 of the IPC and Section 27 Arms Act in connection with Khagaria (Muffasil) P.S. Case No.1328 of 2023.

3. The learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on account of dispute relating to cutting of grass the accused persons came and petitioner is alleged to have assaulted the son of the informant by an iron rod causing injury.

4. The learned counsel submits that the petitioner has been falsely implicated in the present case by the informant. It is



also submitted that on account of dispute relating to land the alleged occurrence is alleged to have taken place. It is further submitted that order impugned does not record about the nature of injury suffered by the son of the informant.

5. The learned APP opposes the anticipatory bail application and submits that there is specific allegation against this petitioner of assaulting the son of the informant by an iron rod causing injury on head, but then is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that the nature of injury is not discussed in the order impugned.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S. Case No.1328 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, it is made clear that the learned trial



court before accepting the bail bonds of the petitioner shall verify the injury report of the son of the informant and in the event, if it is found that he suffered grievous injury on head, in that event, the present anticipatory bail order shall not be given effect to.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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