

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56384 of 2024

Arising Out of PS. Case No.-155 Year-2024 Thana- GHOSI District- Jehanabad

Abhiram Yadav @ Adhiram Yadav S/O Rambali Yadav @ Bali Yadav R/O
Village- Garaibigha, P.S- Ghoshi, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 21-08-2024 Heard learned Advocate for the petitioner and the
learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Ghoshi P.S. Case No.155 of 2024 registered
for the offence punishable under Sections 147, 149, 341, 323,
324, 307 and 504 of the Indian Penal Code.

3. Allegedly while the husband of the informant was
sitting at his door, in the meanwhile all the FIR accused persons
including the petitioner having arms in their hand barged into
the house and indiscriminately assaulted him due to which he
sustained serious injuries.

4. Learned Advocate for the petitioner contended that
there is counter version of the present case, being Ghoshi P.S.
Case No.157 of 2024 instituted by the wife of co-accused Sunil



Kumar. It is further contended that the narratives made in the FIR clearly demonstrate that no specific allegation has been levelled against the petitioner of causing any assault. Moreover, on account of dispute both the parties have entered into a free fight resulting into injuries to persons of both the side, however, the prosecution has failed to explain the injuries sustained to the person of the petitioner side. It is next contended that be that as it may, the petitioner is a man of fair antecedent and now he has been incarcerated since 29.03.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the husband of the informant has sustained serious injuries and the opinion of the injury is still reserved.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the factum of case and counter case coupled with the fair antecedent, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Jehanabad in connection with Ghoshi P.S. Case No.155 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner



with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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