

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58789 of 2024

Arising Out of PS. Case No.-227 Year-2023 Thana- RAGHUNATHPUR District- Siwan

1. Vikram Yadav @ Bikram Yadav S/O-Suresh Yadav Resident of Village-Harpur, P.S.- Raghunathpur, District- Siwan
2. Prabhu Yadav @ Prabhunath Yadav Son of Suresh Yadav Resident of Village- Harpur, P.S.- Raghunathpur, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manjeet Kumar Bishen, Advocate
For the Informant	:	Mr. Gajendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-09-2024 Heard Mr. Manjeet Kumar Bishen, learned counsel
for the petitioners, Mr. Gajendra Kumar Singh, learned counsel
for the Informant and Mr. Vinod Shanker Modi, learned APP for
the State.

2. Petitioners seek bail, who are in custody since
09.06.2024, in connection with Raghunathpur P.S. Case No. 227
of 2023, F.I.R. dated 23.09.2023 registered for the offences
punishable under Sections 341, 323, 324, 325, 326, 307, 379,
504, 506 and 34 of the Indian Penal Code.

3. Allegation against the petitioners is that they have
assaulted the daughter of the informant and brother-in-law of the



informant due to which they sustained grievous injury.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and there is case and counter case between the parties. Although, there is specific allegation against the petitioners that they have assaulted the daughter of the informant and brother-in-law of the informant and they have received injuries and the injury report of the injured persons suggest that the injuries are grievous in nature caused by hand and blunt substance. He further submits that the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 09.06.2024.

5. The learned Additional Public Prosecutor for the State as well as learned counsel appearing on behalf of the Informant, on the other hand, vehemently opposed the prayer for bail of the petitioners and submits that there is specific allegation against the petitioners and apart from that the petitioners carry one more case other than the present one.

6. Considering aforesaid facts and circumstances of



the case as well as nature of allegation in the F.I.R. and the medical report of the injured persons, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Siwan in connection with Raghunathpur P.S. Case No. 227 of 2023, subject to the following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

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