

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64522 of 2024

Arising Out of PS. Case No.-250 Year-2024 Thana- LAKHISARAI District- Lakhisarai

1. Devan Yadav @ Devendra Yadav S/o- Late Ramaji Yadav Resident of Village- Balgudar,PS-Lakhisarai,District -Lakhisarai
2. Sofindra Yadav @ Sofendra Yadav son of Late Ramaji Yadav Resident of Village- Balgudar,PS-Lakhisarai,District -Lakhisarai
3. Opi Yadav @ Upendra Yadav Son of Late Ramaji Yadav Resident of Village- Balgudar,PS-Lakhisarai,District -Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-10-2024 Heard Mr. Shailesh Kumar, learned counsel for the

petitioners and Mr. Murli Dhar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Lakhisarai P.S. Case No. 250 of 2024, F.I.R. dated 08.04.2024 for the offences punishable under Sections 341, 323, 325, 448, 307, 374 and 354(A) of the Indian Penal Code.

3. According to prosecution case, petitioners have assaulted to the informant and one Pinki Devi due to which they received injury.

4. Learned counsel for the petitioners submits that petitioner nos.1 & 3 have clean antecedent and petitioner no.2 carries one more cases other than the present one. He further



submits that the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that although there is specific allegation of assault attributed against the petitioners but from a bare perusal of the injury report of the injured persons it appears that the injury inflicted upon Pinki Devi is simple in nature and injury inflicted upon the informant, namely, Khemni Devi is grievous in nature but from a bare perusal of the injury report it appears that due to fracture in hand the injury inflicted upon the informant is grievous in nature and the same is not on the vital part of the body of the informant.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. Case No. 250 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other



following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. 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 antecedent, the court below shall take step for cancellation of bail bonds 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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