

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65669 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- CHANDAUTI District- Gaya

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1. Surajdeo Yadav @ Sukhdeo Yadav @ Suryadev Yadav @ Surydev Yadav
S/O Matan Yadav R/O Village- Kandi Nawada, P.S- Chandauti, Distt.- Gaya.
 2. Niraj Kumar S/O Surajdeo Yadav @ Sukhdeo Yadav @ Suryadev Yadav @
Surydev Yadav R/O Village- Kandi Nawada, P.S- Chandauti, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 01-10-2024 Heard learned Counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Chandauti P.S. Case No. 24 of 2024 dated 27.01.2024, instituted for the offence punishable under Sections 341, 323, 325, 307, 385, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that the informant was doing construction work on his land. During such period, the petitioner, Sukhdeo Yadav came there armed with iron rod and started to abuse and assaulted her due to which her leg and back were fractured and when her husband objected him then he also assaulted him due to which his head was injured thereafter, other accused persons came there and assaulted informant and his family members. Accordingly, the F.I.R..

4. Learned Counsel for the petitioners submitted that there is a case and counter case filed by the petitioner no. 1 bearing Chandauti P. S. Case No. 43 of 2024. It is submitted that



due to land dispute, the said occurrence was occurred, petitioners' side also received injury. Learned Counsel for the petitioners further submitted that a bare perusal of the impugned order shows that the informant, Viranj Devi received injury on the finger and injured Pramod Yadav who is husband of the informant also sustained injury on the head and eyebrow. Learned Counsel for the petitioners further submitted that the said injuries are simple in nature.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties as well as petitioners have two criminal cases against them, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Chandauti P.S. Case No. 24 of 2024, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C. as also 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. One of the bailors will be their own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that they will inform the court concerned if the petitioners are made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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