

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76486 of 2023

Arising Out of PS. Case No.-322 Year-2023 Thana- LAXMIPUR District- Jamui

MANI YADAV SON OF KAILU YADAV @ MAHADEV YADAV
RESIDENT OF VILLAGE -VISHANPUR, PS- LAXMIPUR, DISTT-
JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 07-03-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Laxmipur P.S. Case No. 322 of 2023 for the offence registered under sections 341, 323, 307, 379, 504, 506 and 34 of the Indian Penal Code lodged on 12.07.2023 by the informant Kunti Devi.

3. As per the prosecution story, the informant alleged that as she was at her house, the accused persons came, abused and later assaulted. The allegation against this petitioner was assaulting on the head by mean of axe, when the husband came to rescue, he too was assaulted. Accordingly, the FIR.

4. Learned Counsel for the petitioner has taken this Court to the order of the learned Sessions Judge to show that the injuries have been found to be simple in nature while in two other injuries, opinion has been reserved. It is his further submission that the petitioner do not have criminal antecedent.



5. Further the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs. 10,000/- through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

7. Taking into account the aforesaid facts as also that he do not have criminal antecedent and the injury has been found to be simple in nature, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 10,000/-, as stated above.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-IIInd, Jamui in connection with Laxmipur P.S. Case No. 322 of 2023 subject to condition as laid down under Section 438(2) of the



Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Neha/-

U		T	
---	--	---	--

