

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81487 of 2023**

Arising Out of PS. Case No.-1102 Year-2023 Thana- NAWADA District-
Nawada

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RAJBALLAV YADAV @ RAJBALLAW KUMAR @ RAJBALLAV YAAV SON OF
SHIVBALAK YADAV @ SHIWALAK YADAV RESIDENT OF VILLAGE- MAYA
BIGHA, PO- BAGHIBARDIHA, PS- KARDIKANJ, DISTT- NAWADA, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shrishti Rani

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-01-2024

Heard Mrs Shrishti Rani, learned counsel for the
petitioner and Mr. Sanjay Kumar Singh, learned A.P.P. for the
State.

The petitioner seeks bail in connection with Town
(Kadirganj O.P.) P.S. Case No. 1102 of 2023 registered for the
offence under Sections 147, 149, 341, 323, 504, 506, 354,
379 and 307 of the Indian Penal Code.

The petitioner is alleged to have assaulted the
informant and his uncle by means of iron rod on his head
causing him head injury.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. He further submits that due to admitted land dispute of a boundary the present occurrence taken place. He further submits that as per the allegation as alleged in the F.I.R., the petitioner has assaulted the uncle of the petitioner and the injury report suggest that although he has received injury but the injury is simple in nature caused by a hard and blunt substance.

Learned A.P.P. for the State opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case and the nature of injury, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Nawada in connection with Nawada Town P.S. Case No. 1102 of 2023 with the following conditions:-

(1) Petitioner 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled



by the Court below.

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

And, further condition that 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 step for cancellation of bail bond of the petitioner. 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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