

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84392 of 2024

Arising Out of PS. Case No.-369 Year-2024 Thana- SAUR BAZAR District- Saharsa

Ganesh Yadav S/o Dhirendra Yadav R/o vill - Maheshpur, East Tola, ward no.
9, P.S. - Sour Bazar, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-12-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sour
Bazar P.S. Case No. 369 of 2024 instituted for the offence under
Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian
Penal Code.

3. Over a dispute pertaining to land, a scuffle took
place between the parties and it is alleged that petitioner
assaulted the informant by giving knife blow in order to kill
him.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 14-06-2024. Petitioner
bears one criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Charge sheet is submitted in this case. Though from perusal of the injury report, it is reported that injury is grievous in nature, but in the same occurrence, petitioner has also sustained injury and wife of the petitioner has also filed one compliant case, which is annexed at Annexure-P/3 to this application. There is inordinate delay of seven days in lodging of the FIR. It is lastly submitted that there is land dispute between the parties.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being case and counter case between the parties and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sour Bazar P.S. Case No. 369 of 2024, subject to the following



conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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