

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2998 of 2024

Arising Out of PS. Case No.-248 Year-2023 Thana- KURTHA District- Jehanabad

Suresh Yadav, Son Of Late Ramdeo Yadav Resident Of Village
-SEWABIGHA, P.S- Kurtha, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kurtha P.S. Case No. 248 of 2023, lodged on 26.07.2023 under
Sections 341, 323, 325, 307, 504, 34 of the Indian Penal Code.

3. As per the prosecution case, FIR has been lodged
against 4 named accused persons including the present
petitioner against whom there is an allegation that they assault
the son of the informant due to which injury has been caused to
son of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that from the contents of the FIR, it is very much
clear that occurrence took place on 16.07.2023 whereas, the FIR



was lodged on 26.07.2023 i.e. 10 days after the incident and therefore, the said FIR is after thought of the informant. Counsel further submits that the antecedent of the petitioner is clean and he is in custody since 28.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-III, Arwal in connection with Kurtha P.S. Case No. 248 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every month for one year to mark attendance;

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

(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.

(Dr. Anshuman, J.)

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