

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6636 of 2024

Arising Out of PS. Case No.-344 Year-2023 Thana- PIRO District- Bhojpur

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1. Lalan Yadav @ Lallan Singh S/o Late Shiv Bachan Yadav @ Shiv Bachan Singh, R/o Vill. Khorabar, P.S. Hasanbazaar, Dist. Bhojpur.
 2. Binod Yadav @ Vinod Singh @ Vinod Yadav S/o Sipahi Yadav @ Sipahi Singh, R/o Vill. Korabar, P.S. Hasanbazaar, Dist. Bhojpur.
 3. Radha Muni Yadav @ Radha Muni Singh S/o Late Dwarika Yadav @ Dwarika Singh, R/o Vill. Korabar, P.S. Hasanbazaar, Dist. Bhojpur.
 4. Manoj Yadav @ Manog Yadav @ Manoj Kumar, s/o Vishnath Singh @ Bichu Yadav R/o Vill. Korabar, P.S. Hasanbazaar, Dist. Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sundari Devi, W/o Manoj Singh, R/o Vill. Korabar, P.S. Hasanbazaar, Dist. Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 21-03-2024 Heard Mr. Manoj Kumar, the learned counsel for the petitioners, the learned counsel for the informant and Mr. Md. Fahimuddin, the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Piro (Hasanbazaar) PS Case No. 344 of 2023, FIR dated 28.07.2023, registered for the offences punishable under Sections 341, 323, 324, 307 and 504 read with Section 34 of the Indian Penal Code.



3. According to prosecution case, the co-accused persons came at the door of the house of the informant and assaulted her and her family members due to which they sustained injury. It is further alleged that Dilip Yadav and Lalan Yadav brandished illegal guns and threatened the informant with dire consequences.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case and due to some petty dispute, the present occurrence has taken place and there is case and counter-case between the parties. He further submits that as per the allegation in the FIR, the petitioner's side has assaulted the informant and her son and both have received injuries. He lastly submits that the injury report of the informant and her son suggests that injury received by them is simple in nature caused by hard and blunt substance.

5. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners and submits that petitioners are named in the FIR and they have assaulted the informant and her family members due to which they have received injuries.



6. Considering the aforesaid facts and circumstances and the fact that petitioners have clean antecedent, there is case and counter-case between the parties and the injury report of the informant and her son is found to be simple in nature, let the petitioners, above-named, in the event of their arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Bhojpur at Ara, where the case is pending in connection with **Piro (Hasanbazaar) PS Case No. 344 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

(i). Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the trial Court.

(ii). 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.

(iii). And further condition that the trial Court shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the trial Court shall take step for cancellation of bail bond of the petitioners. 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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