

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.7353 of 2024**

Arising Out of PS. Case No.-120 Year-2023 Thana- ADAPUR District- East Champaran

Lalbabu Yadav @ Sheshnath Yadav S/O Sonalal Yadav @ Gulab Yadav R/O  
Village- Kalwari Majhariya, P.S. Aadapur, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      21-03-2024                      Heard Mr. Rajesh Kumar, learned counsel for the  
  
petitioner and Mr. Md. Matloob Rab, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Aadapur P.S. Case No. 120 of 2023, F.I.R. dated 18.04.2023 for the offences punishable under Sections 341, 324, 307, 379, 447, 504, 506/34 of the Indian Penal Code.

3. According to prosecution case, this petitioner along with other accused person armed with lathi, danda and farsa assaulted the informant and his family members.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that as per the allegation in the F.I.R the petitioner has assaulted the son of the informant on



head by means of *farsa* due to which he sustained injuries but the injury report of the son of the informant, namely, Rajesh Yadav suggests that the injury is simple in nature.

5. The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that it appears from the F.I.R that there is direct and specific allegation of assault against the petitioner that he has assaulted the son of the informant by means on *farsa* on his head and apart from this the petitioner carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Aadapur P.S. Case No. 120 of 2023, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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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