

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10341 of 2025

Arising Out of PS. Case No.-31 Year-2024 Thana- BICHKODWA District- Jamui

Ashok Yadav @ Ashok Kumar Son of Late Chito Yadav Resident of Village -
Salaityatarn, P.S. - Bichkodwa, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-07-2025 Heard Mr. Akhauri Kamal Kishore Sahay, learned
counsel for the petitioner and Mr. Ganesh Prasad Singh, learned
APP for the State.

2. The petitioner is apprehending his arrest in
connection with Bichkodwa P.S. Case No. 31 of 2024, F.I.R.
dated 19.06.2024 registered for the offences punishable under
Sections 147, 341, 323, 324, 307, 504, 506 of the Indian Penal
Code.

3. Allegation against the petitioner is that he has
assaulted to the informant by means of *Gaita* over his head due
to which he sustained head injury.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely
implicated in the present case. He further submits that it



appears from the F.I.R. that due to admitted land dispute the present occurrence had taken place and there is case and counter case between the parties. Although, there is specific allegation against the petitioner that he assaulted to the informant by means of gaita over his head and he has received injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the injury inflicted upon the injured person is simple in nature and there is case and counter case between the parties and due to admitted land dispute the present occurrence had taken place, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Jamui in connection with Bichkodwa P.S. Case No. 31 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/



Section 482(2) of BNSS, 2023 and with other 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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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