

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9607 of 2025

Arising Out of PS. Case No.-63 Year-2024 Thana- Salmari District- Katihar

Pradeep Yadav S/O Puran Yadav R/O - Gogra, P.S- Salmari, Distt- Katihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar Singh, Advocate.
For the State	:	Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Salmari PS. Case No. 63 of 2024 dated 13.09.2024 registered for the offences punishable under Sections 329(3), 329(4), 126, 115(2), 303(2), 109, 352, 351(2)(4) and 3(5) of B.N.S. Act, 2023.

3. As per allegation, there was assault by the petitioner and other co-accused on the wife of the informant by *lathi* and rod causing injury on her head.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that there is no allegation of any repeated assault on the victim, and as such, the alleged offence



of attempt to commit murder is not applicable. He further submits that the matter has been compromised between both the parties and a copy of compromise petition filed before learned Chief Judicial Magistrate, Katihar, is annexed herewith as Annexure-3.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in another case.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, in connection with Salmari P.S. Case No. 63 of 2024 subject to the conditions as



laid down under Section 438 (2) Cr.PC and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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