

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11376 of 2025

Arising Out of PS. Case No.-235 Year-2024 Thana- JAGDISHPUR District- Bhagalpur

Wakil Prasad Yadav Son of Late Saryug Yadav @ Late Saryug Prasad Yadav
Resident of Village- Baluachak, PS- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

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

2. The petitioner seeks bail in connection with Jagdishpur P.S. Case No. 235 of 2024 instituted for the offence under Sections 115(2), 118(1), 127(1), 315 & 352 of the Bharatiya Nyaya Sanhita, 2023.

3. Prosecution case in short is that informant was ambushed by petitioner and cousin Abhishek (son of the petitioner), while collecting grass for his cow. They attacked him with a scythe, severely injuring his eye and attempted to harm his other eye before fleeing when locals arrived.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 31-10-2024. Petitioner



bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is no specific allegation attributed to the petitioner, rather specific allegation is against his son. It is only alleged that petitioner was caught holding the injured, while his son attacked him. There are several civil and criminal cases pending between the parties. There is land dispute between the party. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there being no specific allegation against the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Jagdishpur P.S. Case No. 235 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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