

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26822 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- KONCH District- Gaya

Rakesh Kumar Son of Mithilesh Yadav R/o- Rasulpur, P.S.- Konch, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.
For the Opposite Party/s : Mr. Murli Dhar, APP
For the informant : Mr. Sudhir Kumar Sinha, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-05-2025 Heard, Mr. Pankaj Kumar, learned Counsel for the petitioner, learned APP for the State as also Mr. Sudhir Kumar Sinha representing the informant.

2. The petitioner apprehends his arrest in connection with Konch P.S. Case No. 213 of 2024 for the offence registered under sections 147, 149, 323, 341, 307, 504 of IPC lodged on 26.05.2024 by the informant, Kail Yadav.

3. As per the prosecution story, the informant alleged that all the accused persons armed variously came and assaulted his nephew Medhu Yadav on his head. When Raj Kumar Yadav and Satish Yadav came to rescue, they were assaulted by iron rod, one Kail Yadav was also assaulted, they were taken to the Health Centre, Konch, which followed the FIR.



4. Learned Counsel for the petitioner submits that though the accusation is there against him, the injury has been found to be simple in nature, is a young boy of twenty years having no criminal antecedent and the last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner on its own would like to contribute towards the medical assistance of Rs. 5,000/- each (totaling Rs. 20,000/-) to Medhu Yadav, Kail Yadav, Satish Kumar and Raj Kumar Yadav through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking the credentials.

5. Learned counsel for the informant and learned APP for the State opposes the prayer for anticipatory bail submitting that though the injury has been found to be simple in nature, no of informant's side have been assaulted.

6. Considering the submissions of the parties as also the fact that the petitioner is a young boy having no criminal antecedent, injuries have been found to be simple in nature, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. each



(totaling Rs. 20,000/-) to Medhu Yadav, Kail Yadav, Satish Kumar and Raj Kumar Yadav as undertaken by the learned counsel for the petitioner to be paid by four Demand Drafts of local State Bank of India to be submitted to the Trial Court.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 2nd Class in connection with Konch P.S. Case No. 213 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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