

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68476 of 2024

Arising Out of PS. Case No.-163 Year-2023 Thana- PRATAPGANJ District- Supaul

Arvind Yadav @ Arvind Kumar Yadav S/o Late Manohar Yadav @ Manohar Prasad Yadav R/o Vill - Rampur Lahi, P.S.- Shankarpur, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 22-01-2025 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Pratapganj P.S. Case No. 163 of 2023, instituted for the offences punishable under Sections 147, 148, 149, 323, 307, 382, 386, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in short, is that, the petitioner along with other co-accused persons went to the house of the informant, accosted him and assaulted on his head by means of butt of the pistol due to which he sustained head injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case,



charge has also been framed against the petitioner as well as cognizance has been taken by the Court below. No incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has been implicated in this case as being brother-in-law of the co-accused namely, Indra Narayan Yadav who has land dispute with the informant. It is further submitted that as per allegation in the FIR, head of the informant was badly damaged as the petitioner had assaulted him with the butt of the pistol, but as per injury report of the informant it transpires that the injury is simple in nature. The petitioner is in custody since 03.09.2023 and has got eight criminal antecedents in which he is on bail in six cases and has been acquitted in one case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two



sureties of the like amount each to the satisfaction of Court below/concerned Court in connection withPratapganj P.S. Case No. 163 of 2023, 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)

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