

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77457 of 2024

Arising Out of PS. Case No.-225 Year-2021 Thana- LAUKAHA District- Madhubani

Shiv Kumar Yadav S/o- Ras Lal Yadav Village- Malin Belha, P.S. Lalmaniya
O.P., District-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Bharti, Advocate Ms. Nitu Kumari, Advocate
For the State	:	Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-01-2025 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Laukaha (Lalmaniya O.P) P.S. Case No.-225 of 2021, dated 08.07.2021, registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504 and 506/34 of the Indian Penal Code.

3. As per the allegation, there was altercation between two sides arising out of dispute of two ladies. As per further allegation, petitioner has assaulted the informant and his family members by iron rod.

4. Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. He further submits that petitioner and informant's side are agnates and on account of some minor dispute among the ladies, the altercation took place. He further submits that as per the allegation, offence under Section 307 IPC is not made out.

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 one other case in which he is on bail.

7. However, Ld. 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 Ld. J.M., Ist Class, Jhanjharpur, Madhubani, in connection with Laukaha (Lalmaniya O.P.) P.S. Case No.-225 of 2021, subject to the conditions as laid down under Section 438



(2) Cr.P.C. 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, Ld. 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, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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