

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77635 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- Kasar District- Sheikhpura

Narayan Kumar @ Narayan Yadav Son of Sita Ram Yadav R/O Vill.- Mai
Amarpur, P.S.- Ariyari, Dist.- Shikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the State : Mr. Upendra Kumar, 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 petitioner seeks bail, apprehending his arrest,
in connection with Kasar P.S. Case No. 39 of 2024 dated
12.07.2024, registered for the offences punishable under
Sections 126, 115(2), 118, 303(2), 352, 3(5) of Bhartiya Nayaya
Sanhita, 2023.

3. As per allegation, the informant found the petitioner
and other co-accused grazing his crop of moong standing on his
land by their buffaloes. When they started making video by his
mobile of the grazing, he was assaulted by the petitioner and
other co-accused by lathi and danda and his mobile was
snatched.

4. Ld. counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that as per the alleged facts and circumstances and the injury report, no offence is made out under Section 379 IPC. As per the injury report, the informant is said to have suffered only bruise and swelling over back.

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 bail petition that the petitioner has no criminal antecedents.

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. Chief Judicial Magistrate, Sheikhpur, in connection with Kasar P.S. Case No. 39 of 2024, 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 any criminal antecedents, 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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