

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86154 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- CHHATAPUR District- Supaul

Rajendra Yadav S/o Late Mahavir Yadav R/o vill - Dahariya, ward no. 10, P.S
- Chhatapur, Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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

ORAL ORDER

3 24-01-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Chhatapur P.S. Case No. 398 of 2023, instituted for the offences punishable under Sections 341, 323, 324, 325, 354(B), 307, 379, 504, 506 and 34 of the Indian Penal Code.

3. The prosecution case, in short, is that, petitioner along with other co-accused persons have assaulted the informant and his family members by means of *lathi* and iron rod.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from



the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner and informant are co-villager and next door neighbours. No specific allegation has been attributed against the petitioner. There is some family land dispute between the parties and due to that reason the petitioner has been implicated in this case. The petitioner is in custody since 31.08.2024 and has got two criminal antecedents in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 08.04.2024 passed in Cr. Misc. No. 23882 of 2024.

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, taking into account the period of custody undergone by the petitioner and claim based on parity, 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 with Chhatapur P.S. Case No. 398 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)

Rajorshi/-

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