

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.84636 of 2024**

Arising Out of PS. Case No.-27 Year-2023 Thana- NAYAGAON District- Begusarai

Narayan Yadav S/O Late Ram Kishun Yadav R/O Vill.- Mathar Ward no. 7,  
P.S.- Nayagaon, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

|                      |   |                                  |
|----------------------|---|----------------------------------|
| For the Petitioner/s | : | Mr. Sunil Kumar Yadav, Advocate  |
| For the State        | : | Mr. Md. Fahimuddin, A.P.P.       |
| For the Informant    | : | Mr. Pramod Kumar Yadav, Advocate |
|                      |   | Mr. Sumit Kumar, Advocate        |
|                      |   | Mr. Manish Kumar, Advocate       |

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      10-01-2025                      Heard Mr. Sunil Kumar Yadav, the learned Counsel  
  
for the petitioner, Mr. Md. Fahimuddin, the learned Additional  
  
Public Prosecutor for the State and Mr. Pramod Kumar Yadav,  
  
learned Counsel for the Informant.

2. Petitioner seeks regular bail who is in custody  
since 16.07.2024, in connection with Nayagaon P.S. Case No.  
27 of 2023, FIR dated 06.05.2023, registered for the offences  
punishable under Sections 341, 323, 324, 307, 504, 379 and 34  
of the Indian Penal Code.

3. According to the prosecution case, the  
petitioners along with other co-accused persons variously armed  
with lathi, kudal and bricks assaulted the informant and his  
family members due to which they sustained injuries.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case due to land dispute between the parties and both the parties are agnates and there is specific allegation against the petitioner that he has assaulted one Umesh Yadav by means of *farsa* due to which he has received injury. A bare perusal of the Injury Report suggests that injury is “*simple grievous dangerous to life*”. Learned Counsel for the petitioner submits that the doctor has not opined that whether the injury grievous in nature or simple in nature and other co-accused persons, namely, Doman Yadav @ Domi Yadav, Nand Lal Yadav @ Nandlal Kumar and Raghubeer Yadav @ Raghubeer Kumar have been granted bail by this Court vide order dated 22.02.2024 in Cr. Misc. No. 12346 of 2024 and the police after investigation submitted charge sheet against the petitioner and he is in custody since 16.07.2024.

5. Learned Counsel for the informant and learned Additional Public Prosecutor for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that the petitioner carries two more cases other than the present one but fairly submits that on the basis of the paragraph-3 of the



bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Begusarai in connection with Nayagaon P.S. Case No. 27 of 2023, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. However, the



acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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