

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86484 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- SAKURABAD District- Jehanabad

Jadu Yadav @ Yadu Singh son of Late Bhuwar Yadav @ Ramajanma Singh
Resident of Village- Mahadev bigha, P.S.-Shakurabad, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Sinha, Adv
For the State : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 07-08-2025 Heard learned counsel for the petitioner, and the
learned APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under sections 341, 323, 307, 504
and 506/34 of the Indian Penal Code.

3. The allegation in the FIR is that on account of
purchase of fish, some scuffle took place between the petitioner
and the informant and it is alleged that while co-accused Raja
Yadav caught hold of the informant, the petitioner assaulted the
informant by means of bamboo stick as a result of which the
victim sustained injury on his head and fell down in a ditch.

4. Learned counsel for the petitioner submits that it
would be evident from the FIR itself, that an altercation



whatever, had insured was at the spur of the moment and hence, no ingredient of section 307 of the I.P.C can be imputed in the present case. Further, it was that the informant came in a drunken state and under the influence of liquor, he fell down due to which he sustained head injury. Such fact stands substantiated by the injury report itself, which is Annexure P-2 which indicates head injury due to fall from height. No doubt the injury has been said to be grievous in nature but the petitioner is not responsible for the same. Moreover, for an incident which took place on 30.04.2024, the injury report has been issued on 15.05.2024 showing the age of injuries to be within six hours, which makes the entire injury report false.

5. Learned APP for the State opposes the anticipatory bail.

6. Considering the facts and circumstances of the case, let the petitioner, in the event of his arrest/ surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Shakurabad P.S. Case No. 80 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C .



7. However, it is directed that the petitioner shall appear on each and every date fixed by the learned court concerned and in case of default in such appearance on two consecutive dates, the trial court would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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