

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.145 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- PANDARAK District- Patna

Devi Yadav Son of Shiv Narayan Yadav Resident of village- Mamarkhabad,
P.S.- Pandarak, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate Ms. Kumari Pallavi, Advocate
For the Informant	:	Mr. Suraj Kumar, Advocate
For the Opposite Party/s	:	Md. Mushtaque Alam, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

6 01-07-2025 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

3. As per the prosecution case, the informant had submitted a written report that on 01.06.2024 while the family members were in the house, the accused persons arrived there and started abusing and on protest, all the accused persons started assaulting her husband. It is further alleged that during such assault, one Devi Yadav (petitioner) stabbed upon the chest of her husband with an intention to kill resulting in grievous injuries.



4. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and no such incident as stated has occurred. It has further been submitted that the allegations of assault is not corroborated by any injury report on record and despite during the course of investigation, the police directed the informant to produce the injury report, the same has not been brought and charge-sheet has already been submitted. It has lastly been stated that the petitioner though is named in one criminal case, he is in custody since 22.06.2024 in the present one.

5. The learned counsel for the informant as well as the and A.P.P. for the State has vehemently opposed the prayer for bail and has stated that there is specific allegation upon the petitioner to give knife blow on the chest of the informant's husband causing grievous injury. It has also been stated by learned counsel for the informant that the trial has also begun and it has been stated that two prosecution witnesses have been examined.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody as well as the fact that till date no injury report has been brought on record, let the petitioner, above named, be released on bail on



furnishing bail bond 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 connection Pandarakh P.S. Case No. 134 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below 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 court below 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.



(vi) In view of the antecedent of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Patna within fifteen days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the Superintendent of Police concerned and if it is found wanting in any respect, a report shall be made to the court concerned by him to initiate a proceeding for cancellation of bail for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the court concerned, order shall not be delayed for purpose of or in the name of verification

(Sourendra Pandey, J)

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