

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37467 of 2021

Arising Out of PS. Case No.-101 Year-2020 Thana- BHEJA District- Madhubani

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Rabindra Yadav @ Rabi Yadav @ Nepali, Son of Asharfi Yadav, Resident of
Village- Nima, P.S.- Bheja, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the State : Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 14-12-2021 The applicant/accused in Crime No. 101 of 2020

registered with Bheja Police Station for the offences punishable
under Sections 279, 337, 338 and 411 of the Indian Penal Code
at the instance of first informant Mithlesh Paswan, by this
application is seeking his release on bail during pendency of the
trial. It is reported that the charge sheet is filed and the applicant
is undergoing pretrial detention from November, 2021.

Heard both sides.

I have perused the FIR as well as materials placed
before me.

The applicant while ridding a motorcycle caused an
accident by dashing it to seven years old boy Md. Ajmat Ali.
According to the prosecution case, he is a receiver of the
stolen property and had dashed causing grievous hurt to the



injured.

Learned counsel for the applicant submits that the injured Md. Ajmat Ali is now recovered and there is no danger to his life.

Considering the fact that the investigation of the crime is over and injured Md. Ajmat Ali is now recovered, further pretrial detention of the applicant is not warranted and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 101 of 2020 registered with Bheja Police Station for the offences punishable under Sections 279, 337, 338 and 411 of the Indian Penal Code be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.



(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

Bhardwaj/-

(A. M. Badar, J)

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