

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63370 of 2021

Arising Out of PS. Case No.-119 Year-2019 Thana- AKBARPUR District- Nawada

RAJPAL YADAV Son of Late Bharat Yadav Resident of Mohalla-
Mastanganj, P.S.- Akbarpur, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-11-2021 Heard learned counsel for the petitioner and Mr.
Pawan Kumar Chaurasia, learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail in connection with Akbarpur P.S. Case No. 119 of 2019 corresponding to S. Tr. No. 116/2021 registered for the offences punishable under Section 147, 148, 149, 341, 323, 448, 427, 379, 307, 504 of the Indian Penal Code and 26, 27 of the Arms Act.

Earlier his prayer for bail was allowed by this court in Cr. Misc. No. 29183/2020, but later on it transpired that the petitioner had not stated his criminal antecedents, hence in terms of one of the conditions prescribed by this court the learned court below cancelled the bail bond of the petitioner and he has been taken into custody. Thereafter, the prayer for modification of the order was rejected by this Court in Cr. Misc. No.



35789/2021 with liberty to file a fresh application. Accordingly, a fresh application has been filed.

Learned counsel for the petitioner submits that only fresh fact which has been brought on the record of this case is that the petitioner has got four criminal antecedents, however he is on bail in three cases as stated in paragraph '3' and in one of the cases he has already been acquitted.

Mr. Pawan Kumar Chaurasia, learned A.P.P. for the State is present, however as regards the criminal antecedents the information furnished on behalf of the petitioner is not disputed.

Having regard to the facts and circumstances of the case particularly that there is a case and counter case between the parties and in course of investigation it has transpired that both the parties have indulged in firing upon each other, they are also *gotias* and in the said firing the injuries have been caused to both the sides and further that the petitioner has remained in jail since 19.11.2019 and in the cases stated in paragraph '3' he is on bail, this court directs release of the petitioner above named on bail on furnishing of bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – 1st, Nawada in connection with Akbarpur P.S. Case



No. 119 of 2019 corresponding to S. Tr. No. 116/2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

