

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7685 of 2022

Arising Out of PS. Case No.-479 Year-2021 Thana- HARNAUT District- Nalanda

NAVLESH YADAV @ HIRA YADAV @ HIRA S/o Burha Yadav @ Raj
Ballam Yadav Resident of Village- Porai, P.S.- Harnaut, District- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Prasad, Adv

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 337, 338, 504 of IPC.

The prosecution case, in short, is that on 15.10.2021 at 9.45 PM at Kali Mata Puja Samit, Chandi More, Harnaut, the petitioner alongwith other co-accused beat the members of Puja Samiti. The petitioner and other co-accused were having lathi, danda in their hands and started abusing and beating the members of Puja Samiti. The petitioner and other co-accused



also used bricks and stones due to which one Ravi Kumar, Shravan Yadav, Dilip Yadav and Chandan Kumar were seriously injured. The FIR was registered on the basis of information given by informant Mukesh Kumar.

Learned counsel appearing for the petitioner submits that for the same occurrence two FIRs were instituted, one by the informant and one by the police. He further submits that it appears from the FIR itself that there is general and omnibus allegation against all the accused persons including the petitioner and the injury received by the injured persons, namely, Ravi Kumar, Shravan Yadav and Chandan Kumar is simple in nature and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 06.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Harnaut Police



Station Case No.479 of 2021, with the following conditions:-

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

(2) 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.

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.

(Rajesh Kumar Verma, J)

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