

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16112 of 2022

Arising Out of PS. Case No.-308 Year-2021 Thana- PAKARIBARAW District- Nawada

SUBODH YADAV, S/o Bhuneshwar Yadav Resident of Village-Gangti, Tola-Gobarbiga, P.S.-Pakribrawan, District-Nawada.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Pakribrawan P.S. Case No. 308 of 2021, registered for the

offences punishable under Sections 147, 148, 149, 341,

342, 323, 324, 325, 307, 302 and 379 of the I.P.C.

As per allegation, the petitioner and his associates

assaulted the deceased and also taken away his bike and

mobile.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

this case. He further points out that the name of the



petitioner has not been mentioned in the F.I.R. He also submits that similarly situated co-accused person, namely, Krishna Yadav, has already been granted bail by a Bench of this Court vide order dated 09.06.2022, passed in Cr. Misc. No. 5399 of 2022.

The petitioner is in custody since 01.10.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Nawada in connection with Pakribrawan P.S. Case No. 308 of 2021 on the following conditions:



(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of



the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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