

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17979 of 2022**

Arising Out of PS. Case No.-90 Year-2021 Thana- GHOSI District- Jehanabad

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JAISHANKAR KUMAR @ BABU RAM YADAV SON OF MAHENDRA
YADAV R/O VILLAGE- BAJITPUR, P.S.- GHOSHI, DISTRICT-
JEHANABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 325, 307, 354 and 379/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that
petitioner has antecedent of one case.

The informant alleges that when he along with his
wife came back home he saw lock of the box broken and
Rs.10,000/- was missing on which his wife inquired from
Kanchan Devi. It is further alleged that thereafter all the accused
persons abused and assaulted them and petitioner assaulted the



informant with Khanti causing injury on his head.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that petitioner and the informant are own brother and they have even compromised the case as would be evident from Annexure-2 to the anticipatory bail application.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees 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 with Ghoshi P.S. Case No. 90 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

However, the learned trial court before accepting the bail bond of the petitioner shall verify from the informant as to whether the compromise was entered on his own volition or not. In the event, if it is informed to the learned court below that the



informant has entered into a compromise based on force or coercion then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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