

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23955 of 2022**

Arising Out of PS. Case No.-68 Year-2022 Thana- DARBHANGA SADAR District-
Darbhanga

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Lal Bihari Yadav Son of Late Sajgir Yadav Resident of Village - Ranipur, P.s.-
Sadar, Distt.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.
For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-08-2022 Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

Heard Mr. Girish Chandra Jha, learned counsel for the
petitioner as well as learned Additional Public Prosecutor for the
State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Sadar P. S. Case No. 68 of 2022
registered for the offences punishable under Sections 341, 323,
379, 384, 386, 504 and 506 read with 34 of the Indian Penal
Code.

As per the prosecution case, it is alleged that prior



to the alleged occurrence, the F.I.R. named accused persons threatened him for ransom of Rs. 25,000/- per month in order to take care of the bus. On 09.02.2022, the F.I.R. named accused persons and others came at the bus stand and on the dictate of the petitioner other co-accused persons fired upon the informant but did not hit. It is further submitted that the accused persons assaulted the informant by the butt of the revolver and this petitioner snatched Rs. 32,000/- from his pocket.

Learned counsel appearing on behalf of the petitioner submitted that the petitioner happens to be the Chairman of Ranipur Panchayat PACS and there was some dispute with regard to tax collection of bus, which resulted into lodging of the present F.I.R. It is further submitted that only because of his past criminal antecedent and political rivalry the name of the petitioner has been implicated in this case and this petitioner is in custody since 23.02.2022 and moreover, the investigation of the crime is already completed and the charge sheet has been submitted. It is lastly submitted that this petitioner is ready to give under taking that he will fully cooperate in the trial and will not indulge in such type of crime in future.

On the other hand, learned APP for the State



opposes the bail application and submits that the petitioner has multiple criminal antecedent in as much as he is named in ten other criminal cases, in response to the aforesaid submissions, learned counsel for the petitioner submits that in nine out of the cases, the petitioner is on bail.

Having considered the submissions made on behalf of the parties and taking into account the nature of allegation, apart from the fact that this petitioner is in custody since 23.02.2022 and moreover, after conclusion of investigation, the charge sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Sadar P. S. Case No. 68 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or



intimidate the witnesses to delay the disposal of trial.

- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.
- (v) 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 cancelling 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.

(Harish Kumar, J)

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