

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.24975 of 2022**

Arising Out of PS. Case No.-256 Year-2016 Thana- JHAJHA District- Jamui

Kari Devi Wife Of Baldeo Yadav R/O Village- Khuri Paras, P.S.- Jhajha,  
District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 25715 of 2022**

Arising Out of PS. Case No.-256 Year-2016 Thana- JHAJHA District- Jamui

1. NARESH YADAV Son of Baldeo Yadav Resident of village - Khuri Paras,  
P.S.- Jhajha, District - Jamui.
2. Dharmendra Kumar Yadav @ Dharo @ Dharmendra Yadav Son of Baldeo  
Yadav Resident of village - Khuri Paras, P.S.- Jhajha, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 24975 of 2022)

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 25715 of 2022)

For the Petitioner/s : Mr. Rakesh Ranjan, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      30-11-2022                      Heard learned counsel for the petitioners and learned  
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be  
removed within a period of four weeks from today.

The petitioners apprehend their arrest in a case  
registered for the offences punishable under Section 147, 148,  
149, 341, 323, 324, 307, 302, 504 and 506 of the Indian Penal



Code.

According to prosecution case, in brief, is that the informant Manish Kumar gave his fardbeyan before the Sub-Inspector and alleging therein that on 11.11.2016 in the morning Jhalu Yadav, Darogi Yadav, Baldeo Yadav and Bhola Yadav were tying bamboo stick in front of his house for the purpose to close the road then he along with his father Gulli Yadav went to stop them upon which they started to abuse and adamant to assault them. The informant further alleged that when Lattu Yadav and Narayan Yadav came to rescue them then Naresh yadav, Dharo @ Dharmendra Yadav, Chinta Devi, Chanchala Devi came there having armed with Tangi, Danda, Lathi, Rod in their respective hand and started to assault in which Lattu Yadav received serious injury. Thereafter Bhukhan yadav, Chandra Shekhar Yadav, Jitendra @ Jitu Yadav, Kapil Yadav, Rohit Kumar and Jhari Devi assaulted the informant, Usha Devi, Guli Yadav and Lattu Yadav as a result of which they received injury. It is further alleged that they assaulted to Lattu Yadav on his head by Tangi as also they cut the wrist of his left hand by Tangi. Thereafter, the villagers ran then all of them fled away and they came to referral Hospital, Jhajha for treatment and during course of treatment Lattu Yadav died.



Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against the petitioners and there is no specific allegation against the petitioners. He further submits that the police after investigation has come to the conclusion that there is no evidence against the petitioners. He further submits that the police has submitted final form against the petitioner and learned court below differing with the report and take cognizance against the petitioners.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that material available on the record and case diary submits that there is no evidence against the petitioner.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jhajha P.S. Case No. 256 of 2016,



subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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