

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24725 of 2022

Arising Out of PS. Case No.-108 Year-2020 Thana- BABUBARHI District- Madhubani

Ram Sudikshan Yadav, Son Of Late Ram Lochan Yadav R/O Village- Chotki
Rauahi, P.S.- Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 26176 of 2022

Arising Out of PS. Case No.-108 Year-2020 Thana- BABUBARHI District- Madhubani

Sanjeet Kumar Yadav, S/o Shiv Kumar Yadav R/o village- Rauahi, P.S.-
Babubarhi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 24725 of 2022)

For the Petitioner/s : Mr. Sanjiv Kumar

For the Opposite Party/s : Ms. Anita Kumari Singh

(In CRIMINAL MISCELLANEOUS No. 26176 of 2022)

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Raj Ballabh Singh



CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-09-2022 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners seek bail in connection with Babubarhi P.S. Case No. 108 of 2020, corresponding to CRI No. 770 of 2020, registered for the offences punishable under Sections 341, 323, 324, 325, 307, 380, 354, 448 504 and 34 of the Indian Penal Code.

As per the prosecution case, emerging from the FIR, the accused-petitioner along with other co-accused assaulted the alleged victim with different armaments resulting into injuries on his body.

The learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. He further submits that they have no criminal antecedents and they have been languishing in jail since 15.02.2022. He also submits that the main accused who have allegedly assaulted the victim with *Farsa* has already been enlarged on bail by a Coordinate Bench of this Court vide order dated 08.06.2022, passed in Cr. Misc. No. 72515



of 2021.

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

It has further been stated in paragraph 3 of the petition that the petitioners have no criminal antecedent.

However, the learned APP for the State vehemently opposes the prayer for bail submitting that the alleged offence is serious in nature.

Considering the facts and circumstances, the petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Ld. A.C.J.M.-1st, Madhubani in connection with Babubarhi P.S. Case No. 108 of 2020 corresponding to CRI No. 770 of 2020, on the following conditions:

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



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

(iii) The petitioners 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 them 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 petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their 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 petitioners.

The application stands allowed accordingly.



The learned counsel for the petitioners is directed to remove all the defects, if any, 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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