

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27163 of 2022

Arising Out of PS. Case No.-739 Year-2021 Thana- BIHAR District- Nalanda

1. Singar Yadav @ Ram Singar Yadav Son of Radhe Yadav Resident of Village - Baswan Bigha, P.s.- Biharsharif, Distt.- Nalanda (Bihar).
2. Ajeet Yadav Son of Lale Yadav Resident of Village - Baswan Bigha, P.s.- Biharsharif, Distt.- Nalanda (Bihar).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranvijay Singh, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-11-2022 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 four weeks of start of normal functioning of the physical court.

Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.2 namely, Ajeet Yadav.

Permission is accorded.

Accordingly, this application stands dismissed as withdrawn in respect of petitioner no.2 namely, Ajeet Yadav.

The petitioner no.1, namely Singar Yadav @ Ram



Singar Yadav, apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 452, 379, 307/34 of the Indian Penal Code and Section 27 of Arms Act.

According to prosecution case, in short, is that informant Siyanta Devi submitted a written application to the S.H.O. of Bihar Police Station on 02.11.2021 alleging therein that on 01.11.2021 when her son Monu Yadav standing own door in the meantime Munna Kumar and Ankesh Kumar come and touch his motorcycle after than petitioner says “Hatta Nahi Jata” and abusing son of the informant when refused to abuse punched informant released her son locked in a room. It is further alleged that after some time Munna Kumar and Ankesh Kumar with pistol, Ajeet and Sringar Yadav come with Lathi and assaulted he informant and Munna Kumar and Ankesh Kumar fired and snatched her Gold Kanbali.

Learned counsel for the petitioners submits that petitioner no.1, namely Singar Yadav @ Ram Singar Yadav has clean antecedent and he has 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 petitioner no.1, namely Singar Yadav @ Ram Singar Yadav and there is specific allegation of assault against co-accused namely,



Munna Kumar and Ankesh Kumar. He further submits that both the parties are next door neighbor.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner no.1, namely Singar Yadav @ Ram Singar Yadav.

Considering the aforesaid facts and circumstances, let the petitioner no.1, namely Singar Yadav @ Ram Singar Yadav, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Bihar P.S. Case No. 739 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:-

1. Petitioner no.1 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. If the petitioner no.1 tampers 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 petitioner no.1 and in case at any stage it is found that the petitioner no.1 has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner no.1. 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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