

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28313 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- SIMRA District- Aurangabad

1. Ramraj Yadav Son of Sukhdev Yadav Resident of Village - Chilhiyama, P.s.- Simra, Distt.- Aurangabad.
2. Pankaj Kumar Son of Ramraj Yadav Resident of Village - Chilhiyama, P.s.- Simra, Distt.- Aurangabad.
3. Pintu Yadav Son of Ramraj Yadav Resident of Village - Chilhiyama, P.s.- Simra, Distt.- Aurangabad.
4. Sangita Devi W/o Pntu Yadav Resident of Village - Chilhiyama, P.s.- Simra, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-11-2022 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

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

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 504, 379, 354(b) and 34 of the Indian Penal Code.

According to the prosecution case, accused persons were harvesting the garlic from the field of the informant. On



objection, they started abusing and assaulting her and tried to set the informant and his mother-in-law on fire.

Learned counsel for the petitioners submits that the 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 all accused persons and there is specific allegation against the petitioner no. 3 but the same is superficial. He further submits that no such occurrence has took place. He further submits that both parties are agnate.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on 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 Simra P.S. Case No. 03 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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, his bail bond shall be cancelled by the Court below.

2. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed his 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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