

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31846 of 2022

Arising Out of PS. Case No.-628 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Amresh Yadav @ Om Kumar S/o Bhedi Yadav Resident of Housing Board Colony, P.S.- Barari, District- Bhagalpur.
 2. Kamleshwari Yadav @ Kamlesh Kumar S/o Bhedi Yadav Resident of Housing Board Colony, Police Station- Barari, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-11-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State in the virtual court proceeding.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 379, 504 and 506 of the Indian Penal Code.

According to prosecution case, the accused persons including the petitioners came and demanded Rs. 5,000/- as ransom from the informant. On refusal, they injured the



informant and snatched gold chain from the informant.

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 specific allegation of assault against the co-accused, namely, Pradip Yadav and specific allegation of snatching gold chain is against the co-accused, namely, Bablu Yadav. He further submits that there is general and omnibus allegation against these petitioners.

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 Kotwali (Barari) P.S. Case No. 628 of 2021, 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 his 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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