

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40743 of 2022

Arising Out of PS. Case No.-120 Year-2020 Thana- ROH District- Nawada

=====

SHAIENDRA YADAV @ SHAIENDRA KUMAR @ SHALO YADAV
S/O MISHRI YADAV Resident of Village- Mahkar, P.S.- Roh, District-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 302, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has antecedent of five cases and the informant alleges that 11 named accused persons came to his house, further Satish assaulted his father with gadasa causing injury on head.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that informant has named 11 accused persons in



the FIR but the petitioner is not named in the FIR and during the course of investigation his name transpired, it is next submitted that specific allegation of assault is against Satish, on account of which the father of the informant died, it is next submitted that Binay Yadav along with 8 others were granted anticipatory bail by a learned Coordinate Bench of this Court by order dated 30.06.2022 in Cr. Misc. No. 16207 of 2021. The learned counsel for the petitioner next submits that petitioner came to be implicated merely because he has antecedent, it is next submitted that petitioner will not evade the law rather will cooperate in the investigation and will present himself as and when required by the Investigating Officer of the case for arriving at the truth.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case



is pending/successor court in connection with Roh P.S. Case No. 120 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court that he will co-operate in the investigation and will present himself as and when called for, is not co-operating in the investigation, nor is appearing when required before him, then the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioner and to take all coercive steps that he is behind bars. Further, if the Investigating Officer after investigation submits a charge-sheet against the petitioner, then in that event the present anticipatory bail order shall loose its effect.

The learned trial court is directed to send a copy of this order to the concerned Police Station.

(Satyavrat Verma, J)

Shivam/-

U		T	
---	--	---	--

