

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40935 of 2022

Arising Out of PS. Case No.-105 Year-2022 Thana- OBRA District- Aurangabad

Dharmendra Yadav S/O Late Shiv Pujan Yadav R/o Village- Atrauli Bigha,
P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh ,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-11-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State in the Virtual Court proceeding.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 504, 506, 308, 379, 34 of the Indian Penal Code.

Allegation against the petitioner is that he along with other accused persons having lathi and rod in their hands assaulted the daughters of the informant namely Pinki Devi, Rashmi Kumari and Priti Kumari. Priti sustained head injury whereas Pinki sustained hand injury. Accused persons threatened to expelled her from the house and took away her



gold chain.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is no specific allegation of any assault or overt act against the petitioner and there is general and omnibus allegation against all the accused persons and having similar allegation seven co-accused persons have been granted anticipatory bail by the learned court below itself.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Obra P.S. Case No. 105 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) Petitioner 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 tampers with the evidence or the witness, 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 and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. 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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