

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41860 of 2022

Arising Out of PS. Case No.-196 Year-2021 Thana- JAMUI District- Jamui

1. Ramjee Yadav S/o Krishna Yadav R/o village- Shivasona, P.S.- Halsi, District- Lakhisarai
2. Bhola Yadav S/o Shri Yadav R/o village- Shivasona, P.S.- Halsi, District- Lakhisarai
3. Santosh Yadav S/o Shri Yadav R/o village- Shivasona, P.S.- Halsi, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Dinesh Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-11-2022 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, 147, 148, 149, 337, 338, 307, 188, 504, 506 and 353 of the Indian Penal Code.

According to the prosecution case, the informant and other police officials sustained injury due to brick-piece pelting done by the petitioners because the informant along with other police officials tried to take seize of their tractor



containing illegally loaded sand.

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 no specific allegation against these petitioners. He further submits that there is general and omnibus allegation against all the accused persons including these petitioners. He further submits that the injury report of the injured person suggest that the injury is simple in nature and in fact, the petitioners were not present at the time of the occurrence.

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 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/- (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 Jamui P.S. Case No. 196 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 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 petitioner 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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