

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41877 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- CHHABILAPUR District- Nalanda

1. Jitendra Yadav s/o ashok yadav r/o village- goraur, p.s.- Chhabilapur, Distt.- Nalanda
2. Amrendra Yadav S/o Ashok Yadav R/o village- Goraur, P.S.- Chhabilapur, Distt.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan 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.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 379, 504, 506 and 34 of the Indian Penal Code and Sections 307 and 325 of Indian Penal Code which were added later on.

According to prosecution case, on 30.04.2022 the informant was on morning walk with one Ram Ayodhya Singh and when they reached on Pukka Road then FIR named accused persons armed with weapon attached on the informant and badly assaulted to him. And on the point of country made pistol golden chain was snatched away and also given threatening to kill his family members of the informant.

Learned counsel for the petitioner submits that



petitioner No. 2 has clean antecedent and petitioner No. 1 has one criminal antecedent. He further submits that it appears from the FIR that there is general and omnibus allegations against the petitioners and the Injury Report of the person of the informant suggests that out of five injuries four are simple in nature and one injury is grievous in nature, but the same is not on the vital part of the informant. And all the allegations in the FIR are false and fabricated.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender within a period of four weeks, be released on anticipatory 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 Chhabilpur P.S. Case No. 77 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the 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 tamper 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 their 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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