

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55710 of 2021

Arising Out of PS. Case No.-215 Year-2020 Thana- GIRIYAK District- Nalanda

1. RAJESH YADAV @ RAJESH KUMAR, SON OF SARDAR YADAV R/O VILLAGE- GULJAR BIGHA, P.S.- GIRIYAK, DISTICT- NALANDA AT BIHARSHARIF
2. RAGHO YADAV @ RAVINDRA YADAV SON OF SARDAR YADAV R/O VILLAGE- GULJAR BIGHA, P.S.- GIRIYAK, DISTICT- NALANDA AT BIHARSHARIF
3. BINOD YADAV SON OF SARDAR YADAV R/O VILLAGE- GULJAR BIGHA, P.S.- GIRIYAK, DISTICT- NALANDA AT BIHARSHARIF
4. AKHILESH YADAV SON OF SARDAR YADAV R/O VILLAGE- GULJAR BIGHA, P.S.- GIRIYAK, DISTICT- NALANDA AT BIHARSHARIF

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-06-2022 Heard the learned counsel for the petitioners and

the State.

The present petition has been filed on behalf of the

petitioners, apprehending their arrest, in connection with

Giriyak P. S. Case No. 215 of 2020, registered for the

offences punishable under Sections 447, 448, 341, 323,

324, 307 and 34 of the Indian Penal Code.

As per the allegation, the petitioners assaulted the



daughter of the informant on her head by means of lathi and garasa and when the informant came to rescue her, they also assaulted him.

The learned counsel for the petitioners has submitted that the injuries suffered by the victim are simple in nature. There is a past dispute between the parties over a common passage. He has further submitted that there is general and omnibus allegation against the petitioners. No overt act has been attributed to any of them.

It is also stated in paragraph no. 2 of the petition that no similar petition has earlier been filed by the petitioners either before this Court or before the Hon'ble Apex Court.

It has further been stated that the petitioners have no criminal antecedent.

The learned APP for the State has opposed the prayer for bail.

Considering the afore-stated facts and circumstances, the petitioners above-named, are directed to be released on bail, in the event of their arrest or surrender



before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Nalanda at Biharsharif, District - Nalanda, in connection with Giriyak P. S. Case No. 215 of 2020, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, the learned court below shall cancel the bail bond of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedent despite their knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioners.

The application stands allowed accordingly.



The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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