

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52289 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- MURLIGANJ District- Madhepura

RAJNISH KUMAR YADAV S/o Ravindra Yadav Resident of Village-
Pakilapar, P.S.- Murliganj, Dist- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 18-04-2022 Heard learned counsel for the parties.

The Murliganj P.S. Case No. 02 of 2021 was lodged
on ^{1st} of January, 2021 under Sections 341, 323, 307, 324, 379,
504 and 506/34 of the Indian Penal Code.

As per the prosecution story, the informant, Sanjiv
Kumar gave a written application before the Murliganj, SHO
alleging that the petitioner herein along with accused persons
came near the Middle School and due to previous enmity started
abusing them. Upon being opposed, it is alleged that co-accused
Dipak Kumar assaulted his brother Chandan Kumar by axe
causing injury on the head. Meanwhile co-accused Ravindra
Yadav, gave iron rod blow to the informant's head causing
injury to him. The further allegation against the accused persons
is that they jointly assaulted both of them. It is lastly stated in
the FIR that the gold chain worth Rs. 60 thousand was snatched



by Ravindra Yadav that led to the lodging of the First Information Report.

Learned counsel for the petitioner submits that specific allegations have been made attributing the role to Dipak Kumar & Ravindra Yadav, who caused injury on the head of his brother Chandan Kumar and the informant respectively. So far as this petitioner is concerned, it is submitted that there is an omnibus allegation against him and in view of the fact that charge sheet has already been submitted and he is in jail since 28th of January, 2021, (as stated in para-16 of the bail application), he deserves bail.

Learned counsel for the petitioner has provided a copy of the order dated **06.04.2022** in **Cr. Misc. No. 53400 of 2021 (Sujen Yadav @ Sajen Yadav @ Surendra Yadav Vs. The State of Bihar)** by which privilege of bail has been granted to the petitioner by this Court.

Let a copy of the order be kept on record.

Taking into account the aforesaid submissions of the learned counsel for the petitioner, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of like amount each to the satisfaction of Additional Chief Judicial Magistrate -2nd, Madhepura in



connection with Murliganj P.S. Case No. 02 of 2021.

However taking into account that the petitioner has got criminal antecedent, the following conditions are imposed :-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the State and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Jagdish/-

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

