

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51878 of 2021

Arising Out of PS. Case No.-168 Year-2021 Thana- BELAGANJ District- Gaya

1. Janeshwar Prasad Son of Raj Kumar Prasad Yadav @ Raj Kumar Resident of Village- Netupur, P.S.- Belaganj, District- Gaya.
2. Ravi Kumar S/o Lalkeshwar @ Lalkeshwar Prasad Resident of Village- Satishthan, P.S.- Makdumpur, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 61563 of 2021

Arising Out of PS. Case No.-168 Year-2021 Thana- BELAGANJ District- Gaya

1. Umesh Yadav Son of Bhuvneshwar Yadav @ Bhuneshwar Yadav Resident of Village - Panari, P.S. Belaganj, District - Gaya.
2. Kamindra Yadav Son of Bhuvneshwar Yadav @ Bhuneshwar Yadav Resident of Village - Panari, P.S. Belaganj, District - Gaya.
3. Bhuvneshwar Yadav @ Bhuneshwar Yadav Son of Late Jaglal Yadav Resident of Village - Panari, P.S. Belaganj, District - Gaya.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 51878 of 2021)

For the Petitioner/s : Mr.Ravi Bhardwaj

For the Opposite Party/s : Mr.Shailendra Kumar

(In CRIMINAL MISCELLANEOUS No. 61563 of 2021)

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 30-03-2022 Heard learned counsel for the petitioners and learned counsel for the Informant as well as learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the



physical court.

Petitioners seek bail in a case registered for the offences punishable under Sections 147, 149, 341, 323, 504, 302 of the Indian Penal Code.

According to prosecution case, as per F.I.R., allegations against the petitioners are that they alongwith other co-accused armed with Lathi, Danda, bricks and stones started beating the informant and his family members. In the occurrence father of the informant sustained head injury and later on he died.

Learned counsel for the petitioners submits that petitioners namely, Janeshwar Prasad and Ravi Kumar have clean antecedent and other petitioners namely, Umesh Yadav Kamindra Yadav and Bhuvneshwar Yadav @ Bhuneshwar Yadav have one criminal antecedent other than the present one. He further submits that they have falsely been implicated in the present case on the basis of suspicion. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons and there is no specific allegation against anyone of the accused persons. He further submits that there is admitted fact that there is land dispute between co-accused Bhuneshwar Yadav and deceased



but the petitioners have been unnecessarily been roped in the present case as they happens to be the distant relatives of the said accused Bhuneshwar Yadav. The petitioners are in custody since 10.06.2021.

The learned counsel for the Informant and learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that there is direct allegation against all the accused persons.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Belaganj P.S. Case No. 168 of 2021, subject to 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 their absence on two consecutive dates without sufficient reason, their 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)

mdrashid/-

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

