

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43845 of 2022

Arising Out of PS. Case No.-63 Year-2022 Thana- CHAKAI District- Jamui

Yogendra Yadav @ Karu Yadav Son Of Balo Yadav @ Baleshwar Yadav R/O
Village- Dulampur, P.S.- Chakai, District- Jamui

... .. 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. Anuj Kumar Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-11-2022 Heard learned counsel for the petitioner 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 petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 341, 323,
307, 354(B), 504, 379, 506 and 34 of the Indian Penal Code.

According to the prosecution, on 18.03.2022 at
about 1.00 P.M. the informant Falguni Kumar along with his
family members were eating pakora on the occasion of Holi in
the meantime his uncle Balo Yadav, Yogendra Yadav, Mahendra
Yadav and Tena Devi, Phuliya Devi, Munni Devi came at his
house alongwith deadly weapons and they started abusing the
mother of the informant and when she protested, Balo Yadav



chopped the hair of the mother of informant and he also pulled her hair and due to which informant's mother became half naked after which accused Balo Yadav gave axe blow over head of the informant's mother. In resisting this she received injuries on her hand. And also when brother of the informant Nitish Kumar tried to save informant's mother, Yogendra Yadav gave blow of iron rod over head of the Nitish Kumar which was stopped by him for which he received injury in his hand and in course of assault Yogendra Yadav gave blow of iron rod over head of informant and due to which he received injury over his head and blood started oozing out.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioner. There is specific allegation of assault against the co-accused person namely Balo Yadav. He further submits that the injury report of the injured persons has been opined as simple in nature and both the parties are agnates.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the



ground that the petitioner has two criminal antecedents after the present one.

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 or 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 Chakai P.S. Case No. 63 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also the following conditions:

1. Petitioner 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 petitioner 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 petitioner has concealed his



criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. 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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