

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42926 of 2022

Arising Out of PS. Case No.-21 Year-2022 Thana- BACHHWARA District- Begusarai

Dilip Yadav @ Dilip Kumar Yadav

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Smt. Sudha Ambastha, Advocate
For the Opposite Party/s : Mr. Asha Kumari, 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,
308, 379, 504 and 34 of the Indian Penal Code.

According to prosecution, on 27.01.2022 at about
12'o clock the informant was coming back after distributing the
milk from Rashidpur and when he was passing "Kalali Chowk"
on way to home, in the meantime some persons formed a group
and were sitting on way, suddenly attacked upon him and out of
them Dilip Yadav attacked upon his head with the pistol causing
cut injury left side forehead 2" 3" inch. And other accused



persons Rishikesh, Manikesh, Sudhakar, Diwakar, Shankar, Bindeswari and Rajendra Yadav all of them assaulted and abused informant and Rishikesh snatched Rs. 11,000 from the pocket of informant. On arrival of villagers, all the accused persons fled away.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that there is case and counter-case. He further submits that the injury report of the informant suggests that the injuries are found as simple in nature.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation of assault against 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 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 Bachhwara P.S. Case No. 21 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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