

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44170 of 2022**

Arising Out of PS. Case No.-38 Year-2022 Thana- FATEHPUR District- Gaya

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BABLU YADAV @ BABLU KUMAR Son of Jadish Yadav Resident of
Village - Bahsa Pipra, P.O. Bahsa Pipra, P.S - Bahsa Pipra, District - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Deep Nishi, Advocate

For the Opposite Party/s : Ms.Sangeeta Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 15-11-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
147,149,323,341,504,506,379,325,354,307 of IPC.

As per FIR, allegations against all the FIR named
accused persons including the petitioner is that they participated
in the occurrence and they assaulted with Khanti on the head of
the brother of the informant and causing severe injuries to him.
Allegation against the petitioner is that he assaulted to Kanchan
Devi with Butt of Rifle.



Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the present FIR has been lodged against the petitioner due to election dispute. Further submits that the allegation against the petitioner is that he assaulted to Kanchan Devi with Butt of Rifle but the injury report of Kanchan Devi suggests that the injury is simple in nature.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Fatehpur P.S. Case No. 38 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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 have concealed his criminal antecedents, 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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