

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.45649 of 2022**

Arising Out of PS. Case No.-311 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Bhola Kumar @ Bhola Yadav Son Of Jagdish Yadav R/O Village- Kariho,  
P.S.- Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate  
For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

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

2      22-11-2022                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any, 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,  
325, 307, 379, 506, 504 and 34 of the Indian Penal Code and  
Section 27 of the Arms Act.

According to prosecution case, all the accused  
persons surrounded the brother of the informant and assaulted  
him due to which the brother of the informant sustained several  
injuries.

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 as per F.I.R. the allegation against the petitioner is that he assaulted the brother of the informant, namely, Mantu Yadav @ Ajay Yadav. He further submits that the injury report of the Mantu Yadav suggests that the injury is grievous in nature but the injury is not on the vital part of the body. He further submits that the co-accused persons, namely, Kaushal Yadav, Mahendar Yadav and Guddu Kumar @ Guddu Yadav have been granted anticipatory bail by the Court below itself and the case of the petitioner is on similar footing.

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

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Sheikhpura P.S. Case No. 311 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 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 their 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)**

vanisha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

