

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45924 of 2022

Arising Out of PS. Case No.-193 Year-2022 Thana- GOVINDGANJ District- East
Champaran

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1. Ramjeet Yadav S/o Tulsi Yadav Resident of Village- Nawada, P.S.- Govindgunj, District- East Champaran, State Bihar.
 2. Nawal Yadav S/o Bhishun Yadav Resident of Village- Nawada, P.S.- Govindgunj, District- East Champaran, State Bihar.
 3. Tulsi Yadav S/o Late Mathura Yadav Resident of Village- Nawada, P.S.- Govindgunj, District- East Champaran, State Bihar.
 4. Bishun Yadav S/o Late Mathura Yadav Resident of Village- Nawada, P.S.- Govindgunj, District- East Champaran, State Bihar.
 5. Kawal Yadav @Kawal Kumar S/o Bhishun Yadav Resident of Village- Nawada, P.S.- Govindgunj, District- East Champaran, State Bihar.
 6. Jai Shree Yadav S/o Late Mathura Yadav Resident of Village- Nawada, P.S.- Govindgunj, District- East Champaran, State Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan

For the Opposite Party/s : Mr. Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2022 Heard learned counsel for the petitioners 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 petitioners apprehend their arrest in a case
registered for the offences punishable under Section 147, 148,
149, 341, 447, 323, 324, 307, 379, 504 of the Indian Penal
Code.



According to prosecution case, as per F.I.R. is that the informant Mahendra Yadav has filed a written petitioner on 01.05.2022 stating therein that he along with his family members was at his door, in the meantime, accused Ramjit Yadav came in drunken condition and started abusing the informant and when the informant raised objection, all these accused persons holding weapons in their hands came and accused Ramjit Yadav with an intention to commit murder gave farss blow on the uncle of informant namely, Manager Yadav, causing cut injury and bleeding and when the informant went to save his uncle, accused Nawal Yadav gave iron-rod blow and causing cut injury and bleeding. When the son of informant, namely Sandeep Kumar came to save them, accused Kawal Yadav ave farsa blow on his head, causing injury and accused snatched gold Hanumani from his neck. It is further alleged that on the next date i.e. on 02.05.2022, accused Ramjit Yadav and Tulshi Yadav came to the house of informant and assaulted on the head of the wife of informant namely, Gyatri Devi and Nanhak Kumari with lathi.

Learned counsel for the petitioners submits that petitioners no.2 and 5 have clean antecedent and petitioners no. 1, 3, 4 and 6 have one criminal antecedent. He further submits



that petitioners are innocent and they have falsely been implicated in the present case. He further submits that the present case is counter blast of Govindgunj P.S. Case No. 192 of 2022 filed by the wife of petitioner no.3 against the informant and their family members. He further submits that the allegation as alleged in the F.I.R. against these petitioners that they have assaulted the informant and their family members but the injury report of the injured persons suggest that all injuries are simple in nature caused by hard and blunt substance.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that petitioners no. 1, 3, 4 and 6 carries one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender within a period of four weeks, be released on anticipatory 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 Govindganj P.S. Case No. 193 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and also 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)

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