

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64911 of 2021

Arising Out of PS. Case No.-229 Year-2021 Thana- RAHUI District- Nalanda

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TARUN YADAV @ PATN Son of Chote Yadav @ Chote Gope Resident of
Village - Milki Par, P.S.- Rahui (Bhagan Bigha), Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nagendra Kumar, Adv

For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 28-04-2022 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

APP for the State.

Petitioner seeks bail in a case registered for the

offence punishable under Sections 341,323,308,504,506,34 and

added Section 379 of the IPC.

The prosecution case, in short, is that on 10.05.2021

at about 10.00 P.M. in the night when the informant went to

attend the call of nature towards Pybars Road then the accused

persons namely Tarun Yadav @ Patan and Rajiv Kumar @

Medhan Yadav started abusing and with the intention to kill

assaulted the informant with the Hasuli of Rati on his head due



to which skin of the head cut injury and he became unconscious.

The money kept in the pocket also taken away.

Learned counsel for the petitioner submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons. There is no specific allegation of assault to the informant against the petitioner. He further submits that there is no eye witness of the alleged occurrence and the injury report of the informant does not corroborate the allegation as alleged in the FIR and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 17.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Rahui (Bhaganbigha) Police Station Case No. 229 of 2021, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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