

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65955 of 2021

Arising Out of PS. Case No.-348 Year-2021 Thana- GOGRI District- Khagaria

JAWAHAR YADAV S/o Khekho Yadav R/o village- Fudkichak, P.S.- Gogri,
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-04-2022 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 in virtual court proceedings.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 342, 323, 307, 379, 326 and 34 of the Indian Penal Code.

As per prosecution case, in brief, it is alleged by the informant that on 27.07.2021 his younger brother namely Vivek Kumar had gone towards Fudkichak and did not come. On search of his brother he along with Mukesh Yadav found that his brother was lying in injured position at the house of Jawahar Yadav and his hands and legs were tied. He further alleged that



accused persons namely Jawahar Yadav, Kuso Yadav, Aman Kumar Yadav along with 4-5 male and female members also caught the informant and tied and took out Rs. 600/- and mobile from him. He further alleged that accused persons assaulted his brother and Mukesh Yadav and injured their hands.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons and no specific allegation of assault is against the petitioner. He further submits that injury report reveals that the injury is simple in nature. He further submits that during investigation nothing has come against the petitioner and the petitioner is in custody since 29.07.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries six 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/- (Rupees 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 Gogri



P.S. Case No. 348 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 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 witness, 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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