

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56726 of 2022

Arising Out of PS. Case No.-40 Year-2022 Thana- BELAGANJ District- Gaya

1. Deepu Kumar Son Of Jagbindra Yadav @ Vinod Yadav Resident Of Village - Chiraila, P.S.- Belaganj, District - Gaya.
2. Naveen Kumar Son Of Vinod Yadav @ Jagbindra Yadav Resident Of Village - Chiraila, P.S.- Belaganj, District - Gaya.
3. Bittu Kumar @ Raushan Kumar Son Of Mohan Yadav Resident Of Village - Chiraila, P.S.- Belaganj, District - Gaya.
4. Rupesh Kumar Son Of Nand Lal Yadav Resident Of Village - Chiraila, P.S.- Belaganj, District - Gaya.
5. Laldeo Kumar @ Avinash Kumar @ Avnish Kumar Son Of Baldeo Yadav @ Ballam Yadav Resident Of Village - Chiraila, P.S.- Belaganj, District - Gaya.
6. Purushotam Kumar Son Of Raja Ram Yadav Resident Of Village - Chiraila, P.S.- Belaganj, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manisha Prakash, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-12-2022 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 341, 323,
308, 379, 504, 506 and 34 of Indian Penal Code.

According to prosecution case, in brief, is that on



07.02.2022 at about 05:00 P.M. accused persons namely (1) Deepu Kumar, (2) Naveen Kumar, (3) Vikash Kumar, (4) Laldev Kumar, (5) Bittu Kumar, (6) Prasottam Kumar and (7) Rupesh Kumar were playing an obscene song during the Sarswati Puja. When the sister Parwati Devi and son Nitish Kumar of the informant raised objection, accused Naveen Kumar started abusing and assaulting with lathi, danda and iron rod due to which his son sustained serious head and eyebrow injuries. It has further been alleged that the sister of the informant has also sustained injuries and they snatched golden chain and earring of his sister.

Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that there is case and counter case between the parties and the allegation as alleged in the F.I.R. that the petitioners have assaulted the informant and son and daughter of the informant. He further submits that the injury report of the son of the informant namely, Nitish Kumar and the daughter of informant namely, Parwati Devi found the nature of 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.

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 Belaganj P.S. Case No. 40 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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