

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58937 of 2022

Arising Out of PS. Case No.-276 Year-2022 Thana- KHARHAGPUR District- Munger

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GULSHAN YADAV @ MANISH KUMAR @ MANISH YADAV Son of
Manohar Kumar Resident of Village- West Azimganj P.S.- Kharagpur
District- Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Patel, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State in virtual

Court proceeding.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
341,323,307,504,337,34 of IPC and later on Section 506 of
IPC has been added.

The prosecution case, in short, is that the allegation
against the petitioner is that he assaulted with rod on the head
of the informant and informant received grievous head injury.

Learned counsel for the petitioner submits that
petitioner has clean antecedent. He has falsely been
implicated in the present case. Further submits that the



present case is counter blast of Kharagpur P.S.Case No.275 of 2022 filed by the father of the petitioner against the informant and there is admitted land dispute between the parties and the allegation as alleged in the FIR does not support by medical evidence.

Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, 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 learned court below where the case is pending in connection with Kharagpur P.S. Case No. 276 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 their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the



Court below.

(2) If the petitioner tamper 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 have concealed his criminal antecedents, 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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