

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59190 of 2022

Arising Out of PS. Case No.-127 Year-2021 Thana- BUXAR MUFFSIL District- Buxar

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AJEET YADAV S/o Gorakh Yadav @ Gorakh Nath Singh R/o Balirampur,
P.S.- Buxar (Muffasil), Distt- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Md. Shakir Ahmad, 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
147,148,149,341, 323, 307, 504, 337, 338, 384 of IPC and
Section 27 of the Act Act.

The prosecution case, in short, is that the allegation
against the petitioner is that with intention to kill, he started
assaulting with Butt of Rifle upon face of the son of the
informant, he fell down on ground and started crying loudly for
saving.

Learned counsel for the petitioner submits that
petitioner has clean antecedent. He has falsely been implicated



in the present case. Further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons and there is specific allegation against the petitioner is that he assaulted the son of the informant on his face by Butt of the Rifle with intention to kill. Further submits that the injury report of the son of the informant, namely, Mahendra Singh suggests that he sustained injury on the head and the right side eyebrow i.e. simple in nature. Further submits that co-accused persons, namely, Kamlesh Yadav and others have been granted privilege of anticipatory bail vide order dated 13.06.2022 passed in Cr. Misc. No.71388 of 2021 by a Coordinate Bench of this Hon'ble Court and the case of the petitioner is on similar footing.

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 Buxar (Muffasil) P.S. Case



No. 127 of 2021, 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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