

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59861 of 2022

Arising Out of PS. Case No.-33 Year-2022 Thana- LAUKAHI District- Madhubani

1. Rahul Dev Verman @ Rahul Yadav S/O Jamun Prasad Yadav Resident of Village- Kakordev, P.S.- Laukahi, District- Madhubani.
2. Shiv Chandra Yadav S/O Ram Sudner Yadav Resident of Village- Kakordev, P.S.- Laukahi, District- Madhubani.
3. Jamun Prasad @ Jamun Prasad Yadav @ Yamun Prasad S/O Ram Sunder Yadav Resident Of Village- Kakordev, P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Advocate Mr. Ravi Prakash, Advocate Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mr. Braj Kishore Pd.(A.P.P.)

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-12-2022 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 Sections 341, 323, 379, 308, 337, 504/34 of the Indian Penal Code.

According to prosecution case, as per F.I.R. allegation against the co-accused Ram Chandra Yadav surrender the neck with twelve and twisted the same, petitioner Rahul Yadav assaulted with fits and slaps and snatched golden chain from the neck of the informant and petitioner Shiv Chandra Yadav



assaulted and snatched Rs.4,000/- and petitioner Jamun Prasad Yadav assaulted with sharp cut Dabiya on the head of the informant.

Learned counsel for the petitioners submits that petitioner no.2 has clean antecedent and petitioners no.1 and 3 carries one criminal antecedent other than the present one. He further submits that petitioner are innocent and they have falsely been implicated in the present case only on the basis of false and fabricated story. He further submits that no such occurrence took place as alleged in the F.I.R. and the injury report of the injured person found is simple in nature.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners on the ground that petitioners no.1 and 3 carries one criminal antecedent other than the present one.

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 Laukahi P.S. Case No. 33 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)

mdrashid/-

U		T	
---	--	---	--

