

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9431 of 2023

Arising Out of PS. Case No.-11 Year-2022 Thana- HASPURA District- Aurangabad

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UMA SHANKAR YADAV @ UMA KUMAR Son of Raghunandan Yadav
Resident of Village - Paharpura, P.S.- Haspura, District - Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ram Sewak Prasad, Advocate

For the Opposite Party/s : Mr.Mohammad Sufyan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Haspura P.S. Case No. 11/2022 registered for the offences punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph ‘3’ of the application.

As per the prosecution story, the informant has alleged that he had opened one small general articles shop in his house. The petitioner demanded one Sigarat which was denied due to shortage, then the petitioner started abusing him. After some time petitioner along with others came at his house and assaulted him by lathi, rod on his head. They also assaulted his wife and mother of the informant and took away golden chain of



his wife.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. There is no specific allegation of assault against the petitioner and the injury has been found simple in nature, however petitioner has no criminal antecedent.

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

Having regard to the facts and circumstances of the case, the nature of dispute and that the injury has been found simple in nature, the petitioner has no criminal antecedent, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 11 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

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