

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14231 of 2023

Arising Out of PS. Case No.-389 Year-2022 Thana- SUPAUL District- Supaul

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BAM SHANKAR YADAV @ BUMSHANKAR KUMAR Son of Panna Lal
Yadav R/V- Amha, Ward No.-7, P.S.- Supaul, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 11-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
21.11.2022 in connection with Supaul (Lokaha O.P.) P.S. Case
No. 389/2022, G.R. No.904/2022, F.I.R. dated 18.04.2022, for
the offences punishable under Sections 341, 323, 307, 379, 504,
506 and 34 of the Indian Penal Code and later on Section 325
IPC was added.

According to prosecution case, the allegation against
the petitioner is that he was accompanied with the co-accused,
namely, Pannalal Yadav, when he assaulted the uncle of the
informant on his head with lathi and danda, due to which he fell
on the ground.

Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R that there is general and omnibus allegation against all the accused persons including the petitioner and due to some petty matter, the present occurrence has taken place. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 21.11.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Sessions Judge, Supaul in connection with Supaul P.S. Case No.389/2022, subject to the 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. If the petitioner tampers 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 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.

(Rajesh Kumar Verma, J)

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