

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30524 of 2023**

Arising Out of PS. Case No.-226 Year-2021 Thana- MANSI District- Khagaria

=====

RAMSEWAK YADAV SON OF LATE BISUNDEV YADAV Resident of  
Village - Chukti, Police Station - Mansi, District - Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Parmatma Singh, Adv.

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

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      25-07-2023                      1. Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since  
29.10.2022 in connection with Mansi P.S. Case No.226/2021,  
dated 19.08.2021, for the offences punishable under Sections  
147, 148, 149, 323, 307, 302, 504 & 506 of the IPC.

3. According to prosecution case, the petitioner along  
with other co-accused persons assaulted to the husband of the  
informant by means of rod, who died on way to hospital.

4. Learned counsel for the petitioner submits that the  
petitioner has falsely been implicated in the present case. He  
further submits that from bare perusal of the F.I.R., it appears  
that there is no specific allegation against the petitioner rather  
there is general and omnibus allegation against all the accused



persons including the petitioner. He further submits that similarly situated other co-accused, namely, Shravan Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 22.12.2022 passed in Cr. Misc. No. 45100/2022 and the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 29.10.2022.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried one criminal antecedent other than the present one in which he is on bail.

6. 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 Additional Sessions Judge-Vth, Khagaria in connection with Mansi P.S. Case No. 226/2021, 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)**

amit/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

