

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34393 of 2023

Arising Out of PS. Case No.-317 Year-2020 Thana- CHAUTHAM District- Khagaria

1. LALIT YADAV @ NISHANT KUMAR @ LALIT KUMAR son of Late nathun Yadav Village- Paura Ps- Gogri (Paura OP) Dist- Khagaria
2. Jagga Yadav @ Salit @ Masoom Raj son of Late Nauthun Yadav Village- Paura Ps- Gogri (Paura OP) Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-07-2023 Heard the parties.

The petitioners are apprehending their arrest in connection with Chautham P.S. Case No. 317 of 2020, G.R. No. 3456 of 2020 for the offence under Sections 147, 148, 149, 341, 323, 307 and 379 of the I.P.C. lodged on 20.11.2020 by the informant, Sanket Kumar.

As per the prosecution story, the allegation against number of accused persons is of assault and snatching of money from the informant side.

It is the case of the learned counsel for the petitioners that due to enmity, all of them have been named. Further, the allegation against petitioner no. 1 is of snatching Rs. 800/-



whereas against petitioner no. 2 is of using iron stick to hit the head of the informant, which according to him, as incorporated in paragraph 12, has been found to be simple in nature.

Learned APP opposes the prayer.

Considering the aforesaid facts/submissions put forward by the learned counsel for the petitioners as also that the injuries have been found to be simple in nature, this Court is inclined to extend them the privilege of anticipatory bail with conditions.

Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M., Khagaria, in connection with Chautham P.S. Case No. 317 of 2020, G.R. No. 3456 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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