

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 37215 of 2023

Arising Out of PS. Case No.-203 Year-2023 Thana- BIHAR District- Nalanda

TENI YADAV S/O NAGINA YADAV R/O Vill. Banauliya, PS. Bihar, Dist.
Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Upendra Kumar, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-07-2023

Heard the parties.

The petitioner is in custody since 03.03.2023 in connection with Bihar P.S. Case No. 203 of 2023 for the offence punishable under Sections 147, 149, 341, 447, 342, 323, 337, 338, 307, 332, 333, 353, 504 of I.P.C. lodged on 02.03.2023 by the informant Dharmendra Pandit.

As per the prosecution story, the police alleged that in compliance with the order of the S.D.M Bihar Sharif in case no. 1366 (M) of 2020 to corner of the area, when they reached the place were assaulted by 30 to 40 persons including men and women with all sort of things, causing injuries, the police arrested from the spot amongst other, the petitioner herein.

Learned counsel for the petitioner submits that he was a passer-by and in that melee, was arrested. Further without



accepting the allegation and/or outcome of the present case, he would like to donate Rs. 2,000/- to the Chief Minister's Relief Funds.

Learned APP opposes the prayer.

Considering the omnibus allegation that has come against the petitioner, has remained in custody since 03.03.2023 (as stated in paragraph 11 in the bail application), this Court is inclined to extend him the privilege of bail subject to payment of Rs. 2,000/-, as undertaken by the learned counsel for the petitioner receipt of which is to be submitted before the learned Trial Court at the time of execution of bail bond.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Bihar P.S. Case No. 203 of 2023 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 bona fide;

(ii) the petitioner 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 his bail



bond by the Trial Court itself;

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

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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