

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53635 of 2023

Arising Out of PS. Case No.-54 Year-2022 Thana- TANKUPPA District- Gaya

VIPIN YADAV SON OF NAND KISHORE YADAV RESIDENT OF
VILLAGE- BHAGATCHAK, PS- TANKUPPA, DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Ritika Rani, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2023 Heard Mrs. Ritika Rani, learned counsel for the
petitioner and the State.

The petitioner is in custody in connection with Tankuppa P.S. Case No. 54 of 2022 for the offence under sections 147, 149, 341, 342, 323, 324, 325, 307, 354, 379, 504, 506 of the Indian Penal Code lodged on 22.05.2022 by the informant, Parmatma Yadav.

As per the prosecution story, the accused persons attacked the informant side with wooden rod and sticks which resulted into fracture in the left thumb of the informant. Further, allegation against accused, Mukesh Yadav is of using 'iron-rod' on his head causing injury. When the wife came to his rescue, both Mukesh Yadav and Guddu Yadav attacked her as also tried to outrage her modesty and snatched golden chain. Accordingly,



the FIR.

Learned counsel for the petitioner submits that the specific allegation is there against the accused persons. So far as this petitioner is concerned, omnibus allegation of assault is there for which he has already suffered by being in custody since 02.04.2023 (as stated in paragraph 21 of the petition). Though, he do not have criminal antecedent.

Learned APP opposes the prayer for bail.

Considering the submissions put forward by the learned counsel for the petitioner as also that omnibus allegation is there against him, is in custody since 22.04.2023 and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate First Class, Gaya, in connection with Tankuppa P.S. Case No. 54 of 2022 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 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 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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