

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53793 of 2022

Arising Out of PS. Case No.-150 Year-2022 Thana- HASANPUR District- Samastipur

PULINDER YADAV @ FULINDER YADAV S/o Late Uro Yadav R/o
Village - Paridah, P.S. - Hasanpur, District - Samastipur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 29.05.2022 in connection with Hasanpur P.S. Case No. 150 of 2022, F.I.R. dated 28.05.2022 registered for the offence punishable under Sections 147,148,149,337,338,302 of IPC.

3. The prosecution case, in short, is that the informant alleged that on 26.05.2022 the petitioner alongwith other co-accused persons came at the house of the informant and started demanding money Rs.30,000/- from her Bhainsur Kari Yadav which was given to him for compromise in a case, but due to refusal by him all of them started assaulting to him by means of fist and slaps as well as lathi, danda, and due to



which his legs injured. She further alleged that on the same day when her Bhainsur was hidden in a cane field then this petitioner alongwith other accused persons came and started searching to him, and he searched to him in a cane field and from there all of them accused persons caught to him and started brutally assault to him, due to which he sustained grievous injuries and during the course of taking away to the hospital he died in the way.

4. Learned counsel appearing for the petitioner submits that the present case is counter blast of Hasanpur P.S.Case No.149 of 2022 filed by the son of the petitioner against the informant and his family members. He further submits that from bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and in the present occurrence both sides had sustained injury and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 29.05.2022.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner



and submits the petitioner carries two more cases other than the present one.

6. Considering the aforesaid facts, 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 learned A.C.J.M., Rosera, Samastipur in connection with Hasanpur P.S. Case No. 150 of 2022, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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