

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55623 of 2023

Arising Out of PS. Case No.-103 Year-2023 Thana- ROHTAS District- Rohtas

MANTU YADAV S/O Doman Yadav R/O Village- Jalalabad, P.S and Distt.-
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-09-2023 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 27.04.2023 seeks
bail, in connection with Rohtas P.S. Case No.103/2023, dated
27.04.2023, for the offences punishable under Sections 341,
323, 325, 307, 333, 353 of the IPC.

3. According to prosecution case, the petitioner is
alleged to have assaulted the informant on his head due to which
he sustained head injury.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case. He
further submits that the allegation as alleged in the f.I.R. is false
and fabricated and no such occurrence has taken place. He
further submits that it is improbable that in presence of police



officials the petitioner has assaulted the police personnel, who was along with other police personnel and they have all equipped with arms and due to village politics the petitioner has falsely been implicated in the present case. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 27.04.2023.

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 but fairly submits that he is on bail in aforesaid case.

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 J.M. Dehri, Rohtas in connection with Rohtas P.S. Case No.103/2023, 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)

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