

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55473 of 2023

Arising Out of PS. Case No.-62 Year-2023 Thana- MANSI District- Khagaria

Rajeev Yadav @ Rajeev Kumar S/O Parmeshwar Yadav Resident Of Village-
Thatha, Ward No. 09, P.S. Mansi, Distt. Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Jolly Singh, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 08-11-2023 Heard Ms. Jolly Singh, learned counsel for the
petitioner and Mr Choubey Jawahar, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Mansi P.S. Case No. 62 of 2023, G.R. No. 655 of 2023, F.I.R. dated 07.03.2023 registered for the offences punishable under Section 307, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that due to admitted land dispute both the parties are fighting to each other and during course of free-fight Pappy Yadav received injury.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and it



appears from the F.I.R. that due to admitted land dispute the firing had taken place and both the parties had fired upon each other and the petitioner has been falsely implicated in the present case only on the ground that he is the son of accused person namely Parmeshwar Yadav and in the present case no one has received any injury.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IVth, Khagaria in connection with Mansi P.S. Case No. 62 of 2023, G.R. No. 655 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 witness, 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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