

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57183 of 2022

Arising Out of PS. Case No.-191 Year-2022 Thana- MANPUR District- Nalanda

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MATLU YADAV Son of Chhote Yadav Resident of Village- Makduane, P.S.-
Manpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Adv.

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 307, 353 of the Indian Penal Code and Section 27 of the Arms Act.

According to prosecution case, while the informant was on evening patrolling duty, he got information that two groups of village Makduane were quarrelling with each other. When he reached at the place of occurrence, he saw that two groups were assaulting each other. On interrogation from the local people, it was found that Bablu Yadav, Naresh Yadav and Uday Yadav are from one side and other side are the petitioner Matlu Yadav, Rajiv Yadav, Budhan Yadav, Chano Yadav and Guddu Yadav. The informant tried to pacify the matter and after



intervention of local people, both the groups left the place after abusing them. After a while, they started firing indiscriminately with illegitimate weapons, due to which panic was spread. Thereafter the police reached there then the accused persons fled away. Again on 24.07.2022, it was found that both the groups were involved in creating panic by firing with illegitimate weapons.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case on the basis of disclosure made by the local villagers. No specific allegation of any assault or overt act against the petitioner. He further submits that it appears from the F.I.R. that no one has sustained any kind of injury and no incriminating article has been recovered from the place of occurrence and no case is made out under section 307 of the Indian Penal Code. The police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 23.08.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries four criminal antecedent other than the present one.



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 Court below where the case is pending in connection with Manpur P.S. Case No. 191/2022, 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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