

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61370 of 2023

Arising Out of PS. Case No.-203 Year-2023 Thana- BIHAR District- Nalanda

Ajit Yadav Son Of Late Sunil Yadav Resident Of Village- Banauliya, Ps-
Bihar, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Sujata Sinha, Advocate

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-10-2023 Heard Mrs.Kumari Sujata Sinha, learned counsel for
the petitioner and Mr.Chandra Sen Prasad Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Bihar P.S.Case No.203 of 2023, FIR dated
02.03.2023 registered for the offences punishable under
Sections 147, 149, 341, 447, 342, 323, 337, 338, 307, 332, 333,
353, 504 of IPC.

3. Allegation against the petitioner alongwith others is
that they attacked upon the police party by pelting stones, in
which, two police officers have sustained injuries. Further
allegation against the petitioner to deter the public servant by
committing assault with intent to kill them while discharging
their official duties.



4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and from a bare perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner and at best the petitioner is only a member of the mob.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the FIR and he carries two more cases other than the present one.

6. Considering the aforesaid facts, 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 (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No.203 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 bonds shall be cancelled by the Court below.

(II) If the petitioner tamper 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/her criminal antecedents, 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)

Nitesh/-

U		T	
---	--	---	--

