

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61648 of 2022

Arising Out of PS. Case No.-20 Year-2021 Thana- MAGADH UNIVERSITY District- Gaya

RAJESH KUMAR @ RAJESH YADAV Son of Vijay Yadav @ Bijali R/V-
Dadpur, P.S- Magadh University, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 147,148,149,448,307,506 of IPC and
Section 27 of Arms Act.

As per allegation, when the informant was
proceeding by his car, his vehicle was intercepted by putting log
on the road. 10 accused persons named in the FIR started
assaulting his vehicle. The further allegation is that accused
persons opened indiscriminate fire and they also pelted stones
etc. They asked the informant to vacate the disputed land.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present
case. He further submits that it appears from the FIR that there



is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any assault or overt-act against the petitioner. Further submits that it appears from the FIR itself that there is admitted land dispute between the parties and the similarly situated several co-accused persons, except Rajesh Kumar @ Rajesh Yadav, have been granted privilege of anticipatory bail and co-accused Manoj Yadav, Satyendra Yadav and Vikash Yadav have been granted regular bail by different Coordinate Benches of this Hon'ble Court vide order at Annexure-2 series to this bail petition and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 24.06.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one.

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 court below where the case is pending in connection with Magadh University P.S.Case No. 20



of 2021 with 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/her absence on two consecutive dates without sufficient reason, his/her 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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