

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62139 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- NAWADA MUFFASIL District- Nawada

1. RANJEET YADAV Son of Kailash Yadav R/V- Ishari, P.S- Muffasil, Dist- Nawada
2. Kailash Yadav Son of Late Rodal Yadav R/V- Ishari, P.S- Muffasil, Dist- Nawada
3. Rajesh Yadav Son of Kailash Yadav R/V- Ishari, P.S- Muffasil, Dist- Nawada
4. Guddu Yadav Son of Musafir Yadav R/V- Ishari, P.S- Muffasil, Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lal Bahadur Singh
For the Opposite Party/s	:	Mr. Umeshanand Pandit
For the Informant	:	Mr. Abhijeet Gautam
		Mr. Vijay Kishor Bharti

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 16-02-2023 Heard Ld. counsel for the petitioners and Ld. APP
for the State.

The petitioners seek bail in connection with Mufassil P.S. Case No. 89 of 2021 (G.R. No. 1073 of 2021), registered for the offences punishable under Sections 341, 323, 308, 504, 379 and 34 of the Indian Penal Code.

The prosecution case as emerges from the FIR is that the petitioners along with them associates assaulted the informant by *farsa, lathi, danda, rod etc.*, due to which



he sustained injury.

Ld. counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that specific allegation is only against the accused-petitioner, namely, Ranjit Yadav of assaulting the informant on his head and as per the injury report, the injury is simple in nature. Allegation against the rest of the accused-petitioners are general and omnibus in nature. He also submits that investigation in this case is complete and charge-sheet has already been submitted.

He further submits that the petitioners have been languishing in jail since 04.08.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioners have no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

However, Ld. APP for the State vehemently opposes the prayer of the petitioners for bail.



Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Ld. C.J.M, Nawada in connection with Mufassil P.S. Case No. 89 of 2021 (G.R. No. 1073 of 2021) on the following conditions:

(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not hamper on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.



(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioners.

Ld. counsel for the petitioners is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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