

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70892 of 2023**

Arising Out of PS. Case No.-16 Year-2023 Thana- NADI P.S. District- Bhagalpur

1. Aashish @ Aashish Kumar Yadav @ Aashish Kr. Yadav, Son Of Pintu @ Pintu Yadav @ Putush Yadav @ Pintu Kumar Yadav R/O Village- Dhoriya @ Dhodhia, P.S.- Nadi, District- Bhagalpur
2. Bhushan Yadav @ Bhushan Kumar Son Of Lal Bahadur Yadav R/O Village- Dhoriya @ Dhodhia, P.S.- Nadi, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Raghwendra Pratap Singh, Adv.  
For the Opposite Party/s : Mr. Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      07-11-2023                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners seek regular bail in connection with Nadi P.S. Case No. 16 of 2023, lodged on 08.07.2023 under Sections 147, 148, 149, 307, 342, 120 (B), 504, 506 and 448 of the Indian Penal Code and section 27 of Arms Act.

3. As per the prosecution case, the FIR has been lodged against six accused persons in which the specific allegation is against the brother in law of one Putus Yadav who fired upon the informant due to which he become unconscious.

4. Learned counsel for the petitioners submits that the present case has been filed with a view to save the skin as the



petitioner No. 1 has filed a criminal case vide Nadi P.S. Case No. 15 of 2023 dated 07.07.2023 and with a view to save the skin from the said case, the present case has been filed against the present petitioners and others. Counsel for petitioners further submits that even on merits, there is nothing specific or any allegation of act or overtact against the petitioners in this case. He also submits that nothing specific rather omnibus allegations are there. He further submits that the antecedent of the petitioners are clean and they are in custody since 11.07.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioners.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 3<sup>rd</sup>, Naugachia, Bhagalpur in connection with Nadi P.S. Case No. 16 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his *bona fide*;



(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

**(Dr. Anshuman, J.)**

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