

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1633 of 2023

Arising Out of PS. Case No.-27 Year-2022 Thana- GWALPARA District- Madhepura

Robin Yadav @ Ravindra Kumar Son of Dharendra Yadav Resident of
Village- Shyam, Ward No.-10, P.S.- Gwalpara, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-04-2023 Heard Mr. Sharda Nand Mishra, learned counsel

appearing on behalf of the petitioner and Mr. Narsingh Tanti,

learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody in
connection with Gwalpara P.S. Case No. 27 of 2022 registered
for the offences punishable under Sections 147, 148, 149, 224,
225, 341, 323, 307, 353, 504 and 506 of the Indian Penal Code
and Section 27 of the Arms Act.

It is alleged that on secret information that some
notorious criminals are present in the village, the police
conducted raid and apprehended co-accused Raja Yadav and the
petitioner. It is further alleged that having come to know about
the aforementioned facts of arrest, the other FIR named accused
persons and one hundred unknown persons armed with deadly
weapons arrived and made firing over the police party and got
released the criminals, including the petitioner.



Learned counsel for the petitioner submits that from the FIR, it is evident that no specific allegation has been levelled against anyone. He further submits that neither there is recovery of any incriminating material nor any of the police party has sustained any injury. However, only on account of the fact that besides the present case, the petitioner is named in six other criminal cases, his name has been implicated in this case. He next submits that other co-accused persons having similar allegation have been allowed the privilege of bail by a learned Co-ordinate Benches of this Court, the copies of which have been brought on record by way of Annexure-2 series. He lastly submits that the petitioner is in custody since 20.07.2022 and now the investigation is complete.

On the other hand, learned counsel for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the nature of allegation and the fact that none has received any injury, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Madhepura in connection with Gwalpara P.S. Case No. 27



of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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