

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1473 of 2023

Arising Out of PS. Case No.-370 Year-2022 Thana- BELAGANJ District- Gaya

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Pappu Yadav S/O Parmeshwar Yadav R/O Village- Bodh Bigha, Chhatiyana
Tola, P.S- Makhdumpur, District- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munna Yadav S/O Late Lakhan Yadav R/O Village- Belaganj, P.S- Belaganj,
District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Yadav, Advocate
For the Opposite Party/s	:	Mr. Kanhaiya Kishore, APP
For the Informant	:	Kumari Sujata Sinha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-07-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
19.08.2022 in connection with Belaganj P.S. Case No. 370 of
2022, F.I.R. dated 25.07.2022 for the offences punishable under
Sections 341, 323, 379, 354B, 307, 498A/34 of the Indian Penal
Code and Section 3 /4 of the D.P. Act.

According to prosecution case, the petitioner has
attempted to commit murder of the informant and his family
members including his daughter due to non-fulfillment of
demand of dowry.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case merely on the ground that the petitioner is the husband of Chandani Kumari who is daughter of the informant. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it transpire that the allegation is attributed against the co-accused person, namely, Munna Yadav and there is no acquisition of any assault or overt act attributed against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 19.08.2022.

The learned counsel appearing on behalf of the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned



Additional Chief Judicial Magistrate X, Gaya in connection with Belaganj P.S. Case No. 370 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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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