

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10890 of 2024

Arising Out of PS. Case No.-534 Year-2023 Thana- GHOSI District- Jehanabad

Vicky Yadav S/O Raj Kumar Yadav R/Village- Arhit, Ps. Ghoshi, (Okari O.P.)
Distt. Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nityanand Neeraj, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Ghoshi (Okari) P.S. Case No.534 of 2023, lodged on
16.08.2023, under Sections 448/341/323/307/337/ 338 /504 /506
/34 of the Indian Penal Code and under Section 27 of the Arms
Act.

3. As per the prosecution, FIR has been lodged against
five named accused persons. It has been alleged that accused
persons including the present petitioner have assaulted the
informant and his family by means of pelting stones and firing.
Due to firing Rajendra Yadav received gun shot injury on his
thigh and informant received injury on his shoulder by brick
batting.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel submits that the petitioner is in custody since 30.10.2023 having no criminal antecedent. Charge sheet has already been filed against the petitioner. Counsel submits that from the content of the FIR it is clear that the general and omnibus allegation is there against all the accused persons. Nothing specific is there against the petitioner. Counsel further submits that the other co-accused have been granted bail by a co-ordinate Bench of this Court vide order dated 09.01.2024 passed in Cr. Misc. No.85238 of 2023.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Ghoshi (Okari) P.S. Case No.534 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following



conditions:

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

(ii) The petitioner 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 petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner 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 petitioner 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)

Mkr./-

U		T	
---	--	---	--

