

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12465 of 2024

Arising Out of PS. Case No.-154 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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1. Dharamveer Yadav @ Dharamveer Kumar S/O Yadunandan Yadav R/O Mohalla- Kumhrar, Gwal Toli, P.S- Agamkuan, Distt.- Patna.
 2. Yadunandan Yadav S/O Late Basu Yadav R/O Mohalla- Kumhrar, Gwal Toli, P.S- Agamkuan, Distt.- Patna.
 3. Poonam Devi W/O Dharamveer Yadav @ Dharamveer Kumar R/O Mohalla- Kumhrar, Gwal Toli, P.S- Agamkuan, Distt.- Patna.
 4. Amul Kumar @ Amul Yadav S/O Ram Lakhan Rai R/O Mohalla- Kumhrar, Gwal Toli, P.S- Agamkuan, Distt.- Patna.
 5. Manju Devi W/O Amulya Kumar R/O Mohalla- Kumhrar, Gwal Toli, P.S- Agamkuan, Distt.- Patna.
 6. Vishal Kumar S/O Amulya Kumar R/O Mohalla- Kumhrar, Gwal Toli, P.S- Agamkuan, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Santosh Kumar S/O Harinandan Yadav R/V Kumhrar Gwaltoli, P.S- Agamkuan, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Princy Raj, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-02-2024 Heard Ms. Princy Raj, learned counsel for the

petitioners and Mr. Binod Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Complaint Case No. 154 of 2022 for the
offences punishable under Sections 354, 307, 386, 384, 504,
341, 506, 379 and 34 of the Indian Penal Code.



3. According to prosecution case, petitioners are said to have assaulted the complainant and his family members.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. He further submits that for the same set of occurrence the complainant had already lodged an F.I.R. bearing Agamkuan P.S. Case no. 25 of 2022 against the petitioners. He further submits that from bare perusal of the complaint petition as well as F.I.R. No. 25 of 2022 it appears that the allegations are same in the complaint petition as well as in the FIR and the petitioners and complainant are *gotiyas*. He further submits that there is admitted land dispute between the parties and one Title Suit bearing no. 211 of 2013 is pending between the parties. He further submits that from bare perusal of the complaint petition it appears that no such occurrence has taken place and petitioners have falsely been implicated in the present case due to admitted land dispute between the parties.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners on the ground that petitioners carry two criminal antecedents other than the present one.

6. Considering the aforesaid facts and circumstances,



let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna City in connection with Complaint Case No. 154 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners 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.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioners. 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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