

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16523 of 2024

Arising Out of PS. Case No.-198 Year-2023 Thana- BELAGANJ District- Gaya

Sanjay Yadav S/o Late Mithu Yadav, Resident of Village/Mohalla- Chuha
Bigha, P.S.- Belaganj, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2024 Heard Mr. Sheikh Arkan Ahmad, the learned
counsel for the petitioner and Mr. Atul Chandra, the learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Belaganj PS Case No. 198 of 2023, FIR dated
29.03.2023, registered for the offences punishable under
Sections 341, 323, 504, 506 and 354 of the Indian Penal Code.

3. According to prosecution case, the son of the
petitioner, namely Ravi Yadav tried to outrage the modesty of
the daughter of the informant and when she went to the house of
the petitioner to complain, the co-accused persons abused them
and assaulted the daughter of the informant with belt causing
injury.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the allegation against the petitioner is that he has abused the informant and her family member and upon perusal of the FIR, it appears that the main accused in the present occurrence is Ravi Yadav, who happens to be the son of the petitioner and there is no allegation against the petitioner that he has assaulted the daughter of the informant and he has been made accused on the ground that he is the father of the co-accused person namely, Ravi Yadav.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the petitioner has clean antecedent and there is no allegation of molestation against him, let the petitioner, above-named, in the event of his arrest or surrender before the trial Court, within a period of four weeks from the date of receipt of the order, be released on anticipatory 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 Chief Judicial Magistrate, Gaya, where the case is pending in connection with **Belaganj PS Case No. 198 of 2023**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



and also the following conditions:

(i). Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as directed by the trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(ii). 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.

(iii). And further condition that the trial Court 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 trial Court 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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