

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18368 of 2024

Arising Out of PS. Case No.-212 Year-2021 Thana- CHAKAI District- Jamui

1. Amit Kumar S/o Kedar Yadav R/o Village - Sanghra, P.S. - Chakai, District - Jamui
2. Pankaj Yadav S/o Kedar Yadav R/o Village - Sanghra, P.S. - Chakai, District - Jamui
3. Kedar Yadav S/o Dhuman Yadav R/o Village - Sanghra, P.S. - Chakai, District - Jamui
4. Mahendra Yadav S/o Dhuman Yadav R/o Village - Sanghra, P.S. - Chakai, District - Jamui
5. Guddu Yadav @ Guddu Kumar Yadav S/o Dam Yadav R/o Village - Sanghra, P.S. - Chakai, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Chakai P.S. Case No. 212 of 2021 dated 13.10.2021, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506, 354 and 379 of the Indian Penal Code.

3. The prosecution case, in short, is that while the informant was sitting at his cousin brother's house he was assaulted by the petitioners and other co-accused persons also



assaulted other family members of the informant and flew away with a silver necklace and sum of Rs. 2,000/-.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that both the parties are agnates. There is old dispute between the parties. Learned counsel for the petitioners submits that from the impugned order it transpires that the injury received by the injured persons are simple minor injuries. Lastly, it has been submitted that petitioner no. 1 has no criminal antecedent, petitioner no. 3 has two criminal cases against him and so far petitioner nos. 2, 4 and 5 are concerned they have one criminal case against each of them.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Chakai P.S. Case No. 212 of 2021, they shall be released on anticipatory bail upon 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- Ist Class, Jamui, subject to condition as laid down under Section 438(2) of



the Cr.P.C. as also 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- 2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- 3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
- 4. 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.

(Khatim Reza, J)

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