

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25244 of 2024

Arising Out of PS. Case No.-64 Year-2020 Thana- RAHIKA District- Madhubani

1. Tej Lal Yadav Son Of Suba Lal Yadav Resident of Village - Kamalpur, P.S. - Rahika, District - Madhubani
2. Lalan Kumar Yadav @ Lalan Yadav Son Of Lal Babu Yadav Resident of Village - Kamalpur, P.S. - Rahika, District - Madhubani
3. Mahendra Yadav Son Of Late Gangai Yadav Resident of Village - Kamalpur, P.S. - Rahika, District - Madhubani
4. Lal Babu Yadav Son Of Mahendra Yadav Resident of Village - Kamalpur, P.S. - Rahika, District - Madhubani
5. Ras Lal Yadav Son Of Jageshwar Yadav Resident of Village - Kamalpur, P.S. - Rahika, District - Madhubani
6. Hukum Deo Yadav @ Hukumdeo Yadav Son Of Mahendra Yadav Resident of Village - Kamalpur, P.S. - Rahika, District - Madhubani
7. Kisun Deo Yadav Son Of Mahendra Yadav Resident of Village - Kamalpur, P.S. - Rahika, District - Madhubani
8. Akash Yadav @ Aakash Kumar Son Of Vinod Yadav Resident of Village - Kamalpur, P.S. - Rahika, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-05-2024 Heard Mr. Subhash Kumar Jha, learned counsel for the petitioners and Mr. Shailendra Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Rahika P.S. Case No. 64 of 2020 corresponding to C.R.I. No. 1129 of 2020, F.I.R. dated 17.06.2020 registered



for the offences punishable under Sections 143, 341, 323, 504, 506, 448, 354, 307, 379 of the Indian Penal Code.

3. Allegation against the petitioners is that they along with other co-accused persons have assaulted to the informant and their family members.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that there is case and counter case between the parties and due to the present occurrence both sides have received injuries and there is one case under Section 107 of the Cr. P.C. is going on between the parties and due to this reason, the present occurrence had taken place and although the informants' side have received injuries but the injury report of the informants' side suggests that the injuries are simple in nature caused by hard and blunt substance except one injury which was inflicted by Barun Yadav and Barun Yadav is not the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts that the petitioners having clean antecedents and the injuries of the informants' side are simple in nature and there is case and counter case between



the parties, let the petitioners, above named, in the event of their 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 bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Madhubani in connection with Rahika P.S. Case No. 64 of 2020 corresponding to C.R.I.. No. 1129 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their



criminal antecedents, the court below shall take step for cancellation of bail bond 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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