

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29412 of 2024

Arising Out of PS. Case No.-16 Year-2023 Thana- KORMA District- Sheikhpura

Ranjeet Yadav Son of Bishan Yadav @ Bishuni Yadav Resident of Village-
Puraina, P.S.- Korma, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rizwanul Haque, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 05-07-2024 Heard Mr.Rizwanul Haque, learned counsel for the

petitioner and Mr.Nirmal Kumar Sinha, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
31.10.2023 in connection with Korma P.S. Case No. 16 of
2023, F.I.R. dated 28.01.2023 for the offences punishable under
Sections 147, 148, 149, 341, 342, 323, 324, 325, 354, 379, 427,
307, 302, 120(B) of the Indian Penal Code and Section 27 of
Arms Act.

3. According to prosecution case, the informant
stating therein that on 28.01.2023 at about 05:00 P.M., Kamdeo
Yadav badly assaulted to informant's brother Sarjan Yadav due
to which his hand and leg were broken. On information,
informant went to his house and saw that his brother was badly



injured. When informant and his father went to rescue informant's brother, accused persons name in the F.I.R. armed with deadly weapons started assaulting them. Kamdeo Yadav was armed with gun and Sanjay Yadav was armed with pistol and rod. Sanjit Yadav was armed with sword and Shyamdeo was armed with Gadasa. Rajo Yadav was armed with Farsa. All accused persons badly assaulted to informant's father Rampravesh Yadav, brothers Sarjan Yadav and Ravish Kumar, sister Anita Kumari and wife Puja Kumari. Informant's father Rampravesh Yadav died during course of treatment and informants brother Sarjan Yadav also died during course of treatment.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that from a bare perusal of the FIR it appears that due to admitted land dispute the present occurrence had taken place and there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and there is case and counter case between the parties and the co-accused persons, namely, Rajo Yadav and Kamdeo Yadav, against whom the similar



allegation that they alongwith other co-accused person also assaulted to the deceased, have been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 07.03.2024 passed in Cr. Misc. No.71651 of 2023 and Cr. Misc. No.71610 of 2023 and co-accused persons, namely, Shyamdev Yadav, Bilas Yadav and Harinandan Yadav @ Ghamandi Yadav have also been granted bail by this Court vide order dated 21.08.2023 passed in Cr. Misc. Nos.45008 of 2023 and 45070 of 2023 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 31.10.2023.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

6. Considering the aforesaid fact, there is no specific allegation of any assault or overt-act attributed against the petitioner and several co-accused persons have been granted bail by a Coordinate Bench of this Court or this Court, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura in connection with Korma P.S. Case No. 16 of



2023,with the following conditions:-

(I) Petitioner 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(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 court below 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 court below 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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