

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25105 of 2024

Arising Out of PS. Case No.-199 Year-2023 Thana- SONO District- Jamui

Saukhi Yadav Son of Late Jayram Yadav, Resident of Village - Gamariya, P.S.
- Sono, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2024 Heard Mr. Prakash Mahto, the learned counsel for
the petitioner and Mr. Brajendra Nath Pandey, the learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Sono PS Case No. 199 of 2023, FIR dated
15.06.2023, registered for the offences punishable under
Sections 341, 342, 323, 307, 354(A), 504 and 506 read with
Section 34 of the Indian Penal Code.

3. According to prosecution case, the co-accused
persons abducted the father of informant and took him to the
house of one Pawarit Yadav and started assaulting him. It is
further alleged that when the informant tried to save her father,
she was also assaulted.

4. Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case and the allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that upon perusal of the FIR, it appears that the specific allegation of assaulted is attributed against co-accused person namely, Pawarit Yadav and there is no specific allegation of any assault or overt act rather, there is general and omnibus allegation against all the co-accused persons including the petitioner.

5. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that petitioner is named in the FIR and he has also participated in the crime in question and apart from that, the petitioner carries one criminal antecedent other than the present one, however, he fairly admits that petitioner is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific allegation of any assault or overt act attributed against the petitioner, 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 Judicial Magistrate-1st Class, Jamui, where the case is pending in connection with **Sono PS Case No. 199 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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