

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26959 of 2024

Arising Out of PS. Case No.-239 Year-2023 Thana- JAGDISHPUR District- Bhojpur

Aashish Yadav @ Ashish Kumar Son Of Surendra Yadav Resident Of Village-
Korhwa, P.S- Jagdishpur, Dist- Bhojpur At Ara

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Singh, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-05-2024 Heard Mr. Rama Singh, learned counsel for the
petitioner and Mr. Ram Priya Sharan Singh, learned APP for the
State.

2. The petitioner is apprehending his arrest
connection with Jagdishpur P.S. Case No. 239 of 2023, F.I.R. dated
15.06.2023 registered for the offences punishable under Sections
147, 149, 341, 323, 325, 307, 379, 504, 506 of the Indian Penal
Code.

3. Allegation against the petitioner is that he along
with other co-accused persons assaulted the son of the informant
brutally with Lathi-Danda, fists and slaps with intention to
commit his murder due to which the waist of the informant's son
got fractured and they have also broken the head of the
informant's son by assaulting with lathi due to which he is facing



trouble in discharge of his daily routine work.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and from perusal of the F.I.R. it appears that 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. He further submits that similarly situated co-accused person namely Pappu Yadav @ Pramod Kumar has been granted the privilege of anticipatory bail by this Court vide order dated 01.05.2024 passed in Cr. Misc. No. 25249 of 2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the F.I.R and apart from that the injury report of the injured person suggests that the injury is grievous in nature.

6. Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned



Additional Chief Judicial Magistrate 1st, Bhojpur at Arra in connection with Jagdishpur P.S. Case No. 239 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other 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 shall remain physically present as directed 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) If the petitioner tampers 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 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)

Ibrar//-

U		T	
---	--	---	--

