

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33250 of 2024

Arising Out of PS. Case No.-3 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

Gorelal Yadav Son Of Late Huddar Yadav Resident Of Village- Sakrullachak
Near Kali Mandir, Ps- Babarganj, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh, Advocate

For the State : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-05-2024 Heard Ld. counsel for the petitioner and

Ld. APP for the State.

2. The petitioner apprehends his arrest in connection with Mojahidpur (Babbarganj) P.S. Case No. 03 of 2021 dated 06.01.2021, registered for the offences punishable under Sections 448, 323, 324, 147, 379, 307, 385, 427, 504 and 506 of the Indian Penal Code.

3. The prosecution case is that on 06.01.2021 the petitioner along with other accused persons armed with pistol, cartridge, bomb and sword entered the house of the informant and damaged the glasses of the house and main gate. The allegation against other accused persons is of snatching Rs.6,000/- and *mangalsutra* from the wife of the informant.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. He further submits that though, the name of the petitioner has figured in the array of the accused, but from the content of the written report, there is neither any allegation of carrying any offensive weapon or any overt act against the petitioner.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for anticipatory bail.

8. Considering the aforesaid facts and circumstances of the case, this application is allowed, directing the petitioner above named, to be enlarged on bail in the event of his arrest or surrender before Ld. trial court within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate, Bhagalpur, in connection with Mojahidpur (Babbarganj) P.S. Case No. 03 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C. and



on the following conditions:

(i) In case, it is brought to the notice of Ld. trial court that the petitioner has any criminal antecedent, Ld. trial court shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of Ld. trial court that statement regarding previous bail petition is wrong, Ld. trial court shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

S.Ali/Shailendra

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