

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38139 of 2024**

Arising Out of PS. Case No.-625 Year-2021 Thana- COMPLAINT CASE District- Jamui

Fuldev Yadav son of Late Churan Yadav Village- Gudiyadih Ps-Chakai Dist-  
Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Most. Babni Devi wife of Late Bhumi Yadav Village- Gudiyadih Ps-Chakai  
Dist- Jamui

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rajesh Kumar, Advocate  
For the Opposite Party/s : Mr. Nityanand, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      26-06-2024                      Heard Mr. Rajesh Kumar, learned counsel for the  
petitioner and Mr. Nityanand, learned APP for the State.

2. The petitioner is apprehending his arrest connection with Complaint Case No. 625C of 2021, dated 14.06.2021 registered for the offences punishable under Sections 147, 148, 149, 323, 384, 354(B), 379, 427, 504 and 506 of the Indian Penal Code but the cognizance has been taken under Sections 147, 149, 323, 384, 354, 379, 427, 504 and 506 of the Indian Penal Code.

3. Allegation against the petitioner is that he along with other co-accused persons surrounded the house of the complainant with lathi and danda and started abusing the complainant. It is further alleged that the accused petitioner also



assaulted with fists and legs and broke some house hold articles.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case due to admitted land dispute between the parties and there is case and counter case between the parties. He further submits that from perusal of the complaint petition 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.

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

6. Considering the aforesaid facts that the petitioner having clean antecedent and there is no specific allegation of any assault or overt act against the petitioner, 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 Chief Judicial Magistrate, Jamui in connection with Complaint Case No. 625C of 2021, 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.

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**(Rajesh Kumar Verma, J)**

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