

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39147 of 2024

Arising Out of PS. Case No.-344 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Arvind Yadav Son of Naresh Yadav Resident of Village - Umrai Bigha, Police
Station - Makhdumpur (Tehta), District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-08-2024 Heard Mr. Chhote Lal Mishra, learned counsel for the
petitioner duly assisted by Ms. Jyoti Prasad and the State.

2. The petitioner apprehend his arrest in connection with Makhdumpur (Tehta) P.S. Case No. 344 of 2023 for the offence registered under sections 147, 149, 148, 342, 323, 504, 506, 307, 427 and 379 of the Indian Penal Code lodged on 02.05.2023 by the informant, Akhilesh Kumar.

3. As per the prosecution story, the informant has alleged that while he was coming from Patna and reached near the Petrol Pump, he was stopped and assaulted by the accused persons. The further allegation is of damaging the motorcycle and taking the locket. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that nothing has been attributed to him save and except that he took



away certain amount from the dicky of the motorcycle and the last submission is that he do not have any criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail stating that the injury has been made on the head which is a vital part.

6. Taking into account the aforesaid facts as also that the role of assault is not attributed to this petitioner and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Jehanabad in connection with Makhdumpur (Tehta) P.S. Case No. 344 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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