

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40402 of 2024

Arising Out of PS. Case No.-400 Year-2022 Thana- MANSI District- Khagaria

Sintu Yadav Son of Tarun Yadav Resident of Village- Ekaniya , P.S- Mansi,
Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-07-2024 Heard Mr. Jai Kishore Poddar, learned counsel for the

petitioner and Mr. Abhay Kumar Roy, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Mansi P.S. Case No. 400 of 2022, F.I.R. dated 14.11.2022 for the offences punishable under Sections 341, 323, 379, 498A, 504 and 34 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with other accused surrounded and assaulted her. The petitioner assaulted the informant with lathi which caused head injury to her. It is also alleged that the petitioner along with other accused snatched all her ornaments of worth Rs. 45,000.

4. Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the



present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and in fact, the petitioner is cousin father-in-law of the informant and the petitioner has not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R it appears that there is no specific allegation of assault or overt act or demand of dowry against the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is not named in the F.I.R and apart from the petitioner carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 400 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-



i. 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.

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 court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners 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)

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