

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42721 of 2024

Arising Out of PS. Case No.-64 Year-2024 Thana- JAYNAGAR District- Madhubani

Kasindra Yadav Son Of Late Bhola Yadav Village- Parwa, P.S.- Jaynagar,
Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the State : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-07-2024 Heard Mr. Manoj Kumar Pandey, learned counsel
for the petitioner and Mr. Mohammad Sufyan, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Jaynagar P.S. Case No. 64 of 2024, F.I.R. dated 23.02.2024 for the offences punishable under Sections 341, 323, 147, 504, 506, 353, 354 and 188 of the Indian Penal Code.

3. According to prosecution case, the petitioner along with other co-accused persons has obstructed the government officials to discharge their official duty.

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 FIR is false and fabricated and from a bare perusal of the



FIR it appears that no such occurrence has taken place. He further submits that there is no allegation of any assault or overt act against the petitioner rather co-accused person, namely, Dhanik Lal Yadav has misbehaved with the informant. He further submits that there is on Title Suit No. 107 of 2023 is going on between the Dhanik Lal Yadav and the agnates of the petitioner and petitioner has no concern at all with the pending title suit.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries six criminal antecedents other than the present one but fairly submits on the basis of the para-3 of the bail petition that the petitioner is on bail in all the pending matters.

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, Madhubani in connection with Jaynagar P.S. Case No. 64 of 2024, 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 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)

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