

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44427 of 2024

Arising Out of PS. Case No.-150 Year-2024 Thana- SULTANGANJ District- Bhagalpur

Vijay Yadav Late Surti Yadav R/O OF VILL.- Tilakpur, P.S. Sultanganj, Dist.
Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 27-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Sultanganj P.S. case No. 150 of 2024 instituted for the offences under Sections 147, 148, 149, 341, 323, 354, 379, 365 of the Indian Penal Code.

3. On the alleged date and time of occurrence, the accused persons including this petitioner armed with weapons started assaulting the informant, her husband and her son. In the meantime, they snatched gold locket, ear-ring and watch from her. It is further alleged that the accused persons abducted the informant's husband on gunpoint.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel further submitted that there is general and omnibus allegation made against the petitioner and no any specific overt act is attributed to him. Learned counsel further submitted that both the parties are close agnates and the informant has falsely implicated this petitioner due to earlier land dispute. There is no any eye-witness to the alleged occurrence. Learned counsel further submitted that allegation of theft of chain, ear-ring and watch is ornamental in nature. It has been submitted on behalf of the petitioner that the petitioner is in custody since 01.04.2024 and has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no specific over act alleged against the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sultanganj P.S. case No. 150 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	
---	--	---	--

