

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48008 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- WARISLIGANJ District- Nawada

Bhushan Yadav @ Shashi Bhushan Yadav Son Of Gaya Yadav Resident Of
Village- Balwapar, P.S.- Warisliganj, Distt.- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manmohan Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 20-07-2024 Heard learned counsel for the petitioner and learned
APP for the State

2. The petitioner apprehends his arrest in connection with Warisaliganj P.S Case No. 29 of 2024 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 354, 307, 379 of Indian Penal Code & Section 27 of the Arms Act.

3. As per the prosecution case, all the accused persons including these petitioners have attacked on the house of the informant and the co-accuse, Pappu Yadav fired on the son of the informant and other accused persons have misbehaved with the family members of the informant.

4. Learned counsel for the petitioner submits that petitioner has been falsely been implicated in this case. It is next submitted that co-accused have already granted anticipatory bail



by the Co-ordinate Bench of this Court in Cr. Misc. No. 38862 of 2024.

5. Learned counsel for the State opposes the prayer for bail of the petitioner.

6. From perusal of the F.I.R., impugned order and case diary, it appears that petitioner is named in F.I.R but there is no accusation of any assault or overt act attributed against them, the specific allegation of firing is against the co-accused persons, namely, Pappu Yadav and there is allegation against the co-accused, Mishri Yadav and Subhash Yadav that they have misbehaved with the family members of the informant.

7. Considering the aforesaid facts and circumstances of the case, submissions made on behalf of the petitioner, let the above named petitioner be released on bail in the event of his arrest or surrender before the trial court within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, Nawada in connection with Warisaliganj P.S Case No. 29 of 2024 subject to the condition laid down under Section 438(2) of Cr.P.C. and with other following conditions:-

i. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Ramesh Chand Malviya, J)

Mayank/-

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

