

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53669 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- OBRA District- Aurangabad

Shambhu Yadav Son of Late Rajendra Yadav R/O Vill.- Aranda, P.s.- Obra,
Dist.- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Ranjan Kumar, Advocate
For the Opposite Party/s : Mr.Rajiv Nayan, APP
For the Informant : Mr. Abhishek Singh, Advocate
Mr. Ashok Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-09-2024 Heard Mr. Ajit Ranjan Kumar, the learned counsel
for the petitioner, Mr. Rajiv Nayan, the learned Additional
Public Prosecutor for the State and Mr. Abhishek Singh, learned
counsel for the informant.

2. Petitioner seeks regular bail who is in custody
since 11.04.2024, in connection with Obra P.S. Case No. 148 of
2024, FIR dated 10.04.2024, registered for the offences
punishable under Sections 341, 323, 342, 307, 354, 504 and
506/34 of the Indian Penal Code.

3. According to the prosecution case, the petitioner
along with other accused persons armed with 'lathi', 'danda'
and 'sword', assaulted the informant's brother due to which he
received head injury. It is also alleged that they also abused and



threatened the informant.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case. Although the petitioner is named in the FIR but there is general and omnibus allegation against all the accused persons including this petitioner. He further submits that there is case and counter case and the police after investigation submitted a charge sheet and the petitioner is in custody since 11.04.2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner submits that due to the present occurrence, Sanjay Saw has received injury which is grievous in nature.

6. Considering the aforesaid fact that the petitioner has clean antecedent and there is no specific allegation of any assault or any overt act against the petitioner, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 148 of 2024, subject to the following conditions:

(i) Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(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 learned trial Court 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 learned trial Court 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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