

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67035 of 2024

Arising Out of PS. Case No.-1234 Year-2022 Thana- KHAGARIA District- Khagaria

Rabo Yadav @ Rabindra Yadav S/o- Satya Narayan Yadav R/o Village- Ku-
marchakki P.S.-Khagaria Muffasil Disrict-Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramashray Roy, Adv

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner seeks regular bail in connection with
Khagaria (Muffasil) P.S. Case No. 1234 of 2022 dated 20.11.2022,
lodged under Sections 147, 148, 149, 447, 427, 307, 504, 506, 385 of
the Indian Penal Code read with section 27 of the Arms Act.

3. As per the prosecution, FIR has been lodged against 18
named accused persons including the present petitioner against
whom there is an allegation that they have assaulted the informant
and fired indiscriminately upon the informant and his nephews.

4. Learned counsel for the petitioner submits that the peti-
tioner is innocent and has committed no offence. Counsel also sub-
mits that there is general and omnibus allegation against all the ac-
cused persons. Counsel further submits that from the contents of FIR,
it is very much clear that the dispute was relating to agriculture work
on the land. Counsel submits that charge has already been framed in



this case.

5. Learned counsel for the petitioner further submits that the criminal antecedent of the petitioner is not clean and there is two criminal cases are pending against him in which he is on bail. The petitioner is in custody since 27.12.2023 in the present case. Counsel submits that the petitioner is alleged to be the order giver.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. In the present facts and circumstances of this case, let the petitioner above named be granted bail, ***but only after framing of charge, if not framed as well as on being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are mentioned below***, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge 5th Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 1234 of 2022, subject to the conditions as laid down U/s 437(3) Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;



(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.,

8. Pending cases against the petitioner is as follows:-

- Khagaria (Muffasil) P.S. Case No. 261 of 2014.
- Khagaria (Muffasil) P.S. Case No. 433/2021.

(Dr. Anshuman, J)

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