

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70048 of 2024

Arising Out of PS. Case No.-134 Year-2024 Thana- PANDARAK District- Patna

Sogarith Yadav Son of Late Munshi Yadav Resident of Vill- Mamarkhabad,
P.S- Pandarak District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gautam

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-09-2024 1. Heard learned counsel for the petitioner, learned APP for the State and the learned counsel appearing on behalf of the informant.
2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 324, 307, 504, 506 and 34 of the Indian Penal Code.
3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and his aged about 77 years and the informant alleges that accused persons came and Devi Yadav assaulted her husband by knife, causing injury on chest, thereafter accused persons fled threatening.
4. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by



the informant. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that no specific allegation is alleged against the petitioner except that he was also present at the place of occurrence but then no overt act has been alleged, it is also submitted that petitioner has remained a person with clean antecedent all throughout his life and when he is nearing his grave, he has been made a criminal by implicating him in the instant case without alleging any overt act.

5. The learned APP for the State and the learned counsel on behalf of the informant opposes the anticipatory bail application but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that from perusal of the allegations as alleged in the FIR, it would manifest that no overt act has been alleged against the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000 /- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Barh, Patna



in connection with Pandarak P.S. Case No, 134 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Sudhanshu/-

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