

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78548 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- YADOPUR District- Gopalganj

Green Yadav Son of Suresh Yadav Village- Hirapakad Ps -Jadopur District
-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-11-2024 Heard Mr. Lokesh Kumar Singh, learned counsel
for the petitioner and the State.

2. The petitioner is in judicial custody in connection with Jadopur (Yadopur) P.S. Case No. 23 of 2024 for the offences punishable under Sections 341, 323, 324, 307/34 of the IPC, lodged on 22.02.2024 by the informant, Navin Yadav.

3. As per the prosecution story, the informant alleged that the petitioner took the photograph of informant's sister and posted on the Facebook with obscene song, upon protest, his family members armed variously came and assaulted the informant and his family members. Further, Niraj Yadav threw brick over Asesar Yadav and Ranjit Yadav gave hockey stick blow to Pintu Yadav. This led to the FIR.

4. Learned counsel for the petitioner submits that the case under section I.T. Act has not been registered rather the



assault theory is on record which is not attributed to him. The allegation is against Sanjay Yadav, Niraj Yadav and Ranjit Yadav. He is a student and further if given a chance, he intends to present himself in the library of Kamla Rai College, Gopalganj for one month every day for an hour, the time to be fixed by the Principal of the said College and at the end of one month, the Principal shall be providing certificate to the petitioner which he shall be submitting by way of supplementary affidavit at the end of one month.

5. Learned APP opposes the prayer submitting that he posted the picture of the informant's sister which ultimately, led to the assault of the informant and his family members.

6. Though allegation is against the petitioner and at the first instance, this Court did not want to extend the privilege of bail to the petitioner, taking into account that he is 20 years of age, has no criminal antecedent, is a student, only to let him reform himself, no allegation of assault is attributed to him, this Court is inclined to extend him the privilege of bail, subject to the condition that he will be visiting the library of Kamla Rai College, Gopalganj and will do the work for one hour, the time to be fixed by the Principal of the said College, as assigned by the said Principal. The certificate granted by the Principal of the



said College shall be part of the supplementary affidavit filed by the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, III, Gopalganj in connection with aforesaid P.S. Case subject to the following conditions:

(i) one of the bailors 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

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



(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 his bail bonds.

8. List this case under the heading ‘To be mentioned’ on 17th of January, 2025.

(Rajiv Roy, J)

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