

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81586 of 2024

Arising Out of PS. Case No.-153 Year-2023 Thana- SAHEBPUR KAMAL District-
Begusarai

-
1. Saurav Kumar Yadav @ Saurav Kumar S/O Munna @ Manoj Yadav, R/O Village- Govindpur Ahok, P.S- Sahebpur Kamal, Distt.- Begusarai.
 2. Prince Kumar Yaadav @ Priyanshu Kumar @ Prince Kumar S/O Munna @ Manoj Yadav, R/O Village- Govindpur Ahok, P.S- Sahebpur Kamal, Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Advocate
For the Opposite Party : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-11-2024 Heard Mr. Ranjeet Kumar Singh, the learned

counsel for the petitioners and Mr. Binod Kumar No. 3, the

learned Additional Public Prosecutor for the State.

2. Petitioners seek regular bail who are in custody

since 28.09.2024, in connection with Sahebpur Kamal P.S. Case

No. 153 of 2023, FIR dated 04.06.2023, registered for the

offences punishable under Sections 341, 323, 504, 506 and 34 of

the Indian Penal Code and under Section 27 of Arms Act.

3. According to the prosecution case, the informant

received information regarding peoples of two communities

engaged in free-fighting with each other and also using fire-

arms over construction of breaker in the village Vishnupur



Ahok.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that from perusal of FIR it is evident that the date of occurrence is on 02.06.2023, but the present FIR has been instituted on 04.06.2023, after a delay of about two days without giving any explanation for the delay, only to falsely implicate the petitioners in the present case. He further submits that informant is not the eyewitness of the present occurrence and merely on the basis of suspicion the petitioners have been made accused in the present case. He further submits that the co-accused persons namely, Md. Akhalak Ahamad @ Md. Akhlaque and Md. Abbu @ Abbu Jafar @ Abu Zafar have been granted the the privilege of anticipatory bail by this Court vide order dated 01.11.2023 passed in Cr. Misc. No. 70438 of 2023. He lastly submits that the petitioners are in custody since 28.09.2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioners have clean antecedents,



there is delay of two days in lodging of FIR without giving any explanation for the delay and other similiary situated co-accused persons have been granted the privilege of anticipatory bail, let the petitioners, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Begusarai, in connection with **Sahebpur Kamal P.S. Case No. 153 of 2023**, subject to the following conditions:

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

(ii). If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the learned trial Court 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.

(Rajesh Kumar Verma, J)

Shahnawaz/-

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

