

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80955 of 2023**

Arising Out of PS. Case No.-190 Year-2021 Thana- SUPAUL District- Supaul

1. Upendra Yadav Son Of Late Bhagwat Yadav Resident Of Village - Jhahura (WARD No.03), Post - Laukaha, P.S. - Supaul, District - Supaul
2. Naresh Yadav @ Naresh Kumar Son Of Upendra Yadav Resident Of Village - Jhahura (Ward No.03), Post - Laukaha, P.S. - Supaul, District - Supaul
3. Rajesh Yadav @ Rajesh Kumar Son Of Upendra Yadav Resident Of Village - Jhahura (Ward No.03), Post - Laukaha, P.S. - Supaul, District - Supaul
4. Mukesh Kumar @ Mukesh Yadav Son Of Upendra Yadav Resident Of Village - Jhahura (Ward No.03), Post - Laukaha, P.S. - Supaul, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh-1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      10-01-2024                      Heard Mr. Arun Kumar Jha, learned counsel for the petitioners and Mr. Aditya Narayan Singh-1, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Supaul P.S. Case No. 190 of 2021, F.I.R. dated 12.03.2021 registered for the offences punishable under Sections 341, 323, 354, 379, 504, 506 of the Indian Penal Code.

3. Prosecution case, in brief, is that the accused persons came with lathi, danda, iron rod etc. started abusing the informant and accused Naresh Yadav pushed the informant as a



result of which she became half naked. It is further alleged that when her daughter-in-law came there they accused Rajesh Yadav and Mukesh Yadav kicked and slapped her.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in the present case. He further submits there is case and counter case between the parties and the land dispute is going on since long. He further submits that from perusal of the F.I.R. it appears that there is no specific allegation of any assault or overt act attributed against the petitioners rather there is general and omnibus allegation against all the accused persons including the petitioners.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for anticipatory bail of the petitioners and submits that the petitioners are named in the F.I.R. and there is specific allegation against these petitioners and apart from that the petitioner no. 1 carries two more cases other than the present one whereas petitioner nos. 2 to 4 carries one more case other than the present one but fairly submits on the basis of paragraph-3 of the petition that the all the petitioners are on bail in the pending matters.

6. Considering the facts and circumstances of the



case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul P.S. Case No. 190 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions :-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below 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)**

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