

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84548 of 2024

Arising Out of PS. Case No.-144 Year-2024 Thana- MAHKAR District- Gaya

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Pintu Yadav @ Pintu Kumar Son of Uday yadav @ Uday Prasad Resident of
Village- Hathiawan Tola Teja Bigha, P.S.- Mahkar, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan, Advocate
		Mr. Ranjan Kumar, Advocate
For the Opposite Party/s :		Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 11-12-2024 Heard Ld. counsel for the petitioner and Ld. APP for the
State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Mahkar P.S. Case No. 144 of 2024, dated 04.08.2024, registered for the offences punishable under Sections 126(2), 115, 117, 109, 303(2), 352, 351, 3(5) of the B.N.S. Act, 2023.

3. As per the allegation, the informant was assaulted by the accused persons including the petitioner when his animal entered into the field of the accused having *moong* crops.

4. Ld. counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that no incriminating material has been



recovered from his possession. He further submits that the allegations are false and fabricated. He also submits that in fact, there is simple injury caused by the animal in course of taking them away from the field.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has clean antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, this petition is allowed, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Judicial Magistrate, Gaya, in connection with Mahkar P.S. Case No. 144 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court below



that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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