

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2513 of 2024

Arising Out of PS. Case No.-141 Year-2020 Thana- ATRI District- Gaya

1. Ram Pravesh Prasad @ Pravesh Yadav S/O Baiju Yadav R/o Village- Chandaila Arai, Ps. Atari, Dist. Gaya.
2. Photu Yadav S/O Baiju Yadav R/o Village- Chandaila Arai, P.S. Atari, Dist. Gaya.
3. Mandal Yadav S/O Baiju Yadav R/o Village- Chandaila Arai, P.S. Atari, Dist. Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-03-2024 Heard Mr. md. Javed Jafar Khan, learned counsel for the petitioners and Mr. Damodar Prasad Tiwary, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Atari P.S. Case No. 141 of 2020, F.I.R. dated 10.05.2020 registered for the offences punishable under Sections 341, 323, 324, 379, 504, 506, 34 of the Indian Penal Code.

3. The petitioner namely Pravesh Yadav is alleged to have assaulted the informant with the butt of the pistol causing fracture on his head and blood was oozing, petitioner namely Photu Yadav is alleged to have assaulted with lathi to the informant's sister causing blood injury on her head and



petitioner namely Mandal Yadav is alleged to have assaulted the daughter-in-law on her head causing fracture injury.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that due to some petty dispute the present occurrence had taken place and there is case and counter case between the parties and although the informants' side have received injury but the injury report of the informants' side suggests that the injury received is simple in nature caused by hard and blunt substance.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Considering the aforesaid facts that the petitioners having clean antecedents and there is case and counter case between the parties and the injury received by the informants' side is simple in nature, 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 A.C.J.M. XIII, Gaya in connection with Atari P.S. Case No. 141 of 2020, 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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