

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2032 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- GOVINDPUR District- Nawada

1. Saheb Yadav S/O Ganauri Yadav Village- Jafara, Ps. Govindpur, Dist. Nawada.
2. Nitish Yadav @ Nitish Kumar S/O Sunil Yadav Village- Pakribarma, Ps. Pakribarma, Dist. Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hansraj Hansraj, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-01-2024 Heard Mr. Hansraj Hansraj, learned counsel for the

petitioners and Mr. Umesh Lal Verma, learned Additional Public

Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Govindpur P.S. Case No. 166 of 2023, F.I.R. dated 26.07.2023 for the offences punishable under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code.

3. According to prosecution case, there is allegation against the petitioners that they have assaulted the informant by means of iron rod and bamboo stick.

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 informant



is agnates of the petitioners. He further submits that although there is allegation against the petitioners to assault the informant but the injury report of the informant suggests that the cause of injury is due to hard and blunt substance and injury found upon the informant is simple in nature.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of 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 bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Nawada in connection with Govindpur P.S. Case No.166 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



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 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 antecedent, the court below shall take step for cancellation of bail bonds 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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