

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.189 of 2024

Arising Out of PS. Case No.-150 Year-2023 Thana- NAUHATTA District- Rohtas

1. Bhola Yadava @ Vimlesh Kumar @ Bhola Kumar S/O Shambhu Yadav R/O Vill Bhadara, Ps - Nauhatta, Dist. - Rohtas
2. Reeta Devi W/O - Shambhu Yadav R/O Vill Bhadara, Ps - Nauhatta, Dist. - Rohtas
3. Vijay Yadava S/O Late Chari Yadav R/O Vill Bhadara, Ps - Nauhatta, Dist. - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-03-2024 Heard Mr. Deovind Kumar Singh, learned counsel

for the petitioners and Mr. Chandra Bhushan Prasad, learned

Additional Public Prosecutor appearing on behalf of the State.

2. The petitioners are apprehending their arrest in connection with Nauhatta P.S. Case No. 150 of 2023, F.I.R. dated 28.09.2023 for the offences punishable under Sections 147, 149, 323, 325, 307, 354, 354(A), 354(B), 504 and 506 of the Indian Penal Code.

3. According to prosecution case, petitioners are said to have assaulted and tried to outrage the modesty of the informant and her family members.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in



the present case. He further submits that present case is a counter blast of the Nauhatta P.S. Case No. 149 of 2023 filed by the petitioner no. 2 against the informant and her family members. He further submits that although there is allegation against these petitioners that they have assaulted the family members of the informant due to which they received injuries although five persons of the family members of the informant have received the injuries but out of five persons, three persons have received simple injuries and two persons have received grievous injuries due to fracture in their hand and that is not a vital part of the body of the injured persons.

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

6. Considering the aforesaid facts, there is case and counter case and the injuries received by the injured persons are not found on the vital part of the body, 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., Dehri (Rohtas) in connection with Nauhatta P.S. Case No. 150 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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