

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5120 of 2025

Arising Out of PS. Case No.-254 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

1. Vinod Yadav Son of Lalu Yadav Resident of Village - Gothahula, P.S. - Ara Muffasil, District - Bhojpur
2. Lalu Yadav Son of Yogendra Yadav Resident of Village - Gothahula, P.S. - Ara Muffasil, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-02-2025 Heard Mr. Navin Kumar Singh, learned counsel for the petitioners and Mr. Sanjay Kumar Sharma, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Ara Muffasil P.S. Case No. 254 of 2024, F.I.R dated 12.09.2024 registered for the offences punishable under 126(2), 115(2), 109, 117(2), 74, 303(2), 352, 351(2) and 3(5) of the B.N.S.

3. According to prosecution case, petitioners have assaulted to the informant and his father.

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 both the parties are agnates to each other and there is case and counter case between the parties. He further submits that although there is specific allegation against the petitioners that they have assaulted to the informant and his family members but the injury report of the informant and his family members suggests that the injuries inflicted upon them are found simple in nature.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners and submits that petitioners carry two more cases other than the present one but fairly submits on the basis of the paragraph no.3 of the bail petition that the petitioners are on bail in the pending matters.

6. Considering the aforesaid facts that there is case and counter case between the parties and injuries inflicted upon the injured persons are found simple in nature, 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 A.C.J.M.-VII, Bhojpur at Ara in connection with Ara Muffasil



P.S. Case No. 254 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the B.N.S.S., 2023 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 their absence on two consecutive dates without sufficient reason, their 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 bond of the petitioner. 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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