

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9593 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- GRIYAK District- Nalanda

1. Musafir Yadav Son of Late Baldeo Yadav village- Guljar Bighat, Ps- Giriyak, Dist- Nalanda
2. Raushan Kumar @ Raushan Kr. son of Shri Yadav village- Guljar Bighat, Ps- Giriyak, Dist- Nalanda
3. Ajit Yadav @ Aajo Yadav @ Ajit Kumar @ Ajit son of Musafir Yadav village- Guljar Bighat, Ps- Giriyak, Dist- Nalanda
4. Santu Kumar son of Ram Swarrop Yadav village- Guljar Bighat, Ps- Giriyak, Dist- Nalanda
5. Lalin Kumar @ Lalan Yadav son of Sahdeo Yadav village- Guljar Bighat, Ps- Giriyak, Dist- Nalanda
6. Sudhir Yadav @ Sudhir Kumar son of Sahdeo Yadav village- Guljar Bighat, Ps- Giriyak, Dist- Nalanda
7. Nanka @ Sulendra Yadav @ Surendra Kumar son of Gulab Yadav village- Guljar Bighat, Ps- Giriyak, Dist- Nalanda
8. Shri Yadav @ Ishwar Yadav son of Sharad Yadav village- Guljar Bighat, Ps- Giriyak, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dineshwar Prasad Singh, Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-03-2025 Heard Mr. Dineshwar Prasad Singh, learned counsel

for the petitioners and Mr. Pradeep Narain Kumar, learned

Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in
connection with Giriyak P.S. Case No. 309 of 2024, F.I.R. dated
19.08.2024 for the offences punishable under Sections 191, 190,



127, 115, 132, 352 of the Bhartiya Nyaya Sanhita.

3. According to prosecution case, all the accused persons altercated with police, abused them and created jam in NH-20 and also obstructed the Government work.

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 the allegation as alleged in the FIR is false and fabricated and the petitioners have not committed any offence as alleged in the FIR. He further submits that there is only allegation against the petitioners that they had not broken the jam which was occurred due to an accident of an female. He further submits that there is no specific allegation of any assault or overt act against the petitioners and the FIR instituted against 10 named and 100 unknown persons.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts that petitioners have clean antecedent, there is no specific allegation against the petitioners in the FIR, 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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Giriyak P.S. Case No. 309 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 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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