

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15338 of 2025**

Arising Out of PS. Case No.-100 Year-2020 Thana- GAYA MUFASIL District- Gaya

Mukesh Yadav @ Mukesh Kumar S/O Late Mathura Yadav Mohalla- Chhotki
Nawada, Sanjay Nagar, Gaya, P.S.- Delha, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate

For the Opposite Party/s : Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 05-03-2025 Heard Mr. Priya Ranjan, learned counsel for the

petitioner and Md. Aslam Ansari, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 100 of 2020, F.I.R. dated 10.03.2020 for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 353, 332, 333, 338, 427, 345, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, petitioner along with other co-accused persons have attacked on the police personnel due to which several police personnel have sustained injuries and further they have also created hindrance in the discharge of duty of the police personnel.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits that although the petitioner is named in the FIR but it appears from the FIR that there is no specific allegation/acquisition of any assault or overt act against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that similarly situated other co-accused persons, namely, Dablu Kumar @ Chandran Raj @ Chandarn Kumar & Anr. have been granted the privilege of anticipatory bail by this Court vide order dated 04.09.2024 passed in Cr. Misc. No. 38273 of 2024, co-accused persons, namely, Prasuram Sao @ Prasuram Kumar @ Parshuram Sao & Ors. have been granted the privilege of anticipatory bail by this Court vide order dated 14.08.2024 passed in Cr. Misc. No. 49903 of 2024 and co-accused persons, namely, Tarjan Sao @ Vivek Kumar & Ors. have been granted the privilege of anticipatory bail by this Court vide order dated 14.08.2024 passed in Cr. Misc. No. 50352 of 2024.

5. Learned Additional Public Prosecutor for the State,



on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner has clean antecedent, there is no specific allegation/acquisition of any assault or overt act against the petitioner and similarly situated other co-accused persons have already been granted the privilege of anticipatory bail by this Court, let the petitioner, 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 bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Muffasil P.S. Case No. 100 of 2020, 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. Petitioner 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 petitioner tampers 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 petitioner and in case at any stage it is found that the petitioner has concealed his 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)

ajay/-

U		T	
---	--	---	--

