

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14396 of 2025

Arising Out of PS. Case No.-189 Year-2024 Thana- YADOPUR District- Gopalganj

Govind Yadav, Son of Ramashankar Yadav, Resident of Village- Bhagwanpur,
P.S.- Nautan, District- Bettiah

... .. Petitioner/s

Versus

The State of Bihar

.. .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 02-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Jadipur P.S. Case No. 189 of 2024 dated 17.11.2024 instituted
for the offence punishable under Sections 191(1), 191(2),
191(3), 126(2), 115(2), 118(2), 121(1), 121(2), 132, 352, 351(1),
109, 324(4), 326(f) of Bhartiya Nyaya Sanhita, 2023, Section
3(1), 3(1)(d), 3(1)(dh), 3(2)(va) of SC/ST Act, 1989 and section
45 of Bihar Prohibition and Excise Amendment Act, 2022.

3. The prosecution case, in short, is that the informant
along with police personnel reached the place of occurrence and
arrested co-accused, namely, Prahlad Yadav with ten cartoons
country made liquor. The petitioner and other accused persons
armed with lathi, danda surrounded the police and started



abusing the police party and also made caste remark and attacked upon the police party in which three persons of police party were seriously injured and the petitioner and others looted the recovered liquor and helped the apprehended person in fleeing away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that there is no specific allegation against the petitioner rather the allegation against the petitioner are general and omnibus. No case under Section SC/ST Act has been made out against the petitioner. Only on the basis of confessional statement of apprehended person, the petitioner has been made accused in this case. Nothing has been recovered either from the conscious possession of the petitioner or from his house. Lastly, it has been submitted that petitioner has six criminal antecedents.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Jadopur P.S. Case No.



189 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XIII-cum-Special Judge, Excise Court No. I, Gopalganj subject to condition as laid down under Section 438(2) of the Cr.P.C. subject to the 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.



IV. 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.

V. The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Khatim Reza, J)

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