

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15408 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- MADANPUR District- Aurangabad

1. Govind Yadav S/o- Vinay Yadav Village- Vilaspur, P.S. Madanpur, Dist- Aurangabad
2. Umesh Yadav S/o- Mosafir Yadav Village- Vilaspur, P.S. Madanpur, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate
For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2025 Heard Mr. Aman Vishal, learned counsel for the petitioners and Mr. Satyendra Prasad, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Madanpur P.S. Case No. 325 of 2024, F.I.R. dated 22.08.2024 for the offences punishable under Sections 126(2), 115(2), 117(2), 109, 352, 351(3), 3(5) and 303(2) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including these petitioners have assaulted the informant and his wife by means of *tangi, lathi, stick and spear* and also took silver ornaments worth Rs. 3,000/-.



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 it appears from the F.I.R that there is specific allegation against the petitioner no. 1, namely, Govind Yadav that he has assaulted to the informant namely, Mahesh Kumar but no injury was found on the body of the injured person. He further submits that there is case and counter case between the parties.

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

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is case and counter case and no injury report is available with respect to the injured person, 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 bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad, Bihar in connection with Madanpur P.S. Case No. 325 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik



Suraksha Sanhita 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 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 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 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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