

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17726 of 2025

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

Balak Yadav Son of Jago Yadav Resident Of Village- Gulzar Bigha, P.S.-
Giriyak, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-05-2025 Heard Mr.Krishna Deo Raj, learned counsel for the

petitioner and Mr.Ramchandra Sahni, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Giriyak P.S. Case No.309 of 2024, dated 19.08.2024 registered for the offences punishable under Sections 115,127,132,190,191,352 of BNS.

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 appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. It appears from the FIR that although the petitioner is named in the FIR but from a bare



perusal of the FIR it appears that there is no specific allegation of any assault or overt-act attributed against the petitioner rather there is general and omnibus allegation against all the accused persons including the petitioner and similarly situated co-accused person, namely, Musafir Yadav & Others have been granted privilege of anticipatory bail by this Court vide order dated 07.03.2025 passed in Cr. Misc. No.9593 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent, there is no specific allegation of any assault or overt-act attributed against the petitioner and similarly situated co-accused person, namely, Musafir Yadav & Others have been granted privilege of anticipatory bail by this Court, let the petitioner, above named, in the event of his 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 learned Chief Judicial Magistrate, Biharsharif, Nalanda 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 BNSS, 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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