

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19933 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- PIRI BAZAR District- Lakhisarai

1. Amarjeet Yadav @ Amarjeet Kumar S/O Pairu Yadav R/O Village- Lahsorva, P.S- Piri Bazar, Distt.- Lakhisarai.
2. Pairu Yadav S/O Late Bairagi Yadav R/O Village- Lahsorva, P.S- Piri Bazar, Distt.- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-04-2025 Heard Mr. Mukesh Kumar, learned counsel for the petitioners and Mr. Pronoti Singh, learned Additional Public Prosecutor for the State.

2. After some arguments, learned counsel for the petitioners seeks permission to withdraw this bail application with respect to petitioner no.1, namely, Amarjeet Yadav @ Amarjeet Kumar.

3. Permission is accorded.

4. Accordingly, the bail application with respect to petitioner no.1, namely, Amarjeet Yadav @ Amarjeet Kumar stands dismissed as withdrawn.

5. The petitioner is apprehending his arrest in



connection with Piri Bazar P.S. Case No. 28 of 2024, F.I.R. dated 25.02.2024 for the offences punishable under Sections 341, 323, 324, 307, 354, 34 of the Indian Penal Code.

3. As per the First Information Report, the informant alleged that 21.02.2024, the petitioner along with other accused persons came and assaulted him and his wife by means of spade, *brick* and *lathi*.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and petitioner has not committed any offence as alleged in the FIR. He further submits that there is delay in lodging the present First Information Report inasmuch as the occurrence has taken place on 21.02.2024 and the First Information Report has been lodged on 25.02.2024 i.e. delay of four days without giving any reason for delay and apart from that there is case and counter case between the parties and from bare perusal of the FIR it transpires that there is no specific allegation against the petitioner rather there is specific allegation against co-accused, namely, Amarjeet Yadav @ Amarjeet Kumar.

5. The learned Additional Public Prosecutor has



vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation or overt act against the petitioner and the petitioner has clean antecedent and there is case and counter case, 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 Judicial Magistrate, 1st Class, Lakhisarai in connection with Piri Bazar P.S. Case No. 28 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. 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 bond 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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