

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17946 of 2025

Arising Out of PS. Case No.-239 Year-2024 Thana- VIJAYEPUR District- Gopalganj

1. Ram Awadh Yadav S/o Malu Yadav R/o vill - Parasa, P.S.- Vijaipur, Distt.- Gopalganj
2. Bhim Yadav S/o Ram Bachan Yadav R/o vill - Parasa, P.S.- Vijaipur, Distt.- Gopalganj
3. Arjun Yadav S/o Prabhunath Yadav R/o vill - Parasa, P.S.- Vijaipur, Distt.- Gopalganj
4. Anil Yadav S/o Malu Yadav R/o vill - Parasa, P.S.- Vijaipur, Distt.- Gopalganj
5. Sandeep Yadav S/o Tunnu Yadav R/o vill - Parasa, P.S.- Vijaipur, Distt.- Gopalganj
6. Ram Bachan Yadav S/o Malu Yadav R/o vill - Parasa, P.S.- Vijaipur, Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prince Kumar Mishra, Advocate
For the Opposite Party/s : Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2025 Heard Mr. Prince Kumar Mishra, learned counsel for the petitioners as well as learned counsel for the informant and Ms. Nirmala Kuamri learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Vijayipur P.S. Case No. 239 of 2024, F.I.R. dated 02.11.2024 for the offences punishable under Sections 126(2), 115, 109, 303, 352 and 3(5) of B.N.S., 2023.



3. According to prosecution case, all the FIR named accused persons including the petitioners came to the house of the informant and started abusing him. Petitioner no. 1 is said to have assaulted the informant with iron rod on his head. When his family members came, all accused persons assaulted them with *lathi*, *danda* and iron rod. It is further alleged that petitioner no. 3 snatched golden chain worth Rs.50,000/- from the neck of one Abhishek Yadav.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in the present case. There is a case and counter case. There is specific allegation against the petitioner no. 1 that he assaulted with the iron rod to the informant and petitioner no. 3 and other co-accused persons also assaulted the family members of the informant with various weapons. Although, they have received injury but the injury reports of the injured persons including the informant suggest that the injury inflicted upon them is simple in nature caused by the hard and blunt substance.

5. The learned Additional Public Prosecutor as well the learned counsel for the informant has vehemently opposed the prayer for bail of the petitioners and submits petitioner no. 2 carries two cases other than the present one and the petitioner



no. 6 carries one case other than the present one and petitioner nos. 1, 3, 4 and 5 have clean antecedent.

6. Considering the aforesaid facts that there is case and counter case and although the informant sustained injury which is simple in nature, 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 Judicial Magistrate 1st Class, Gopalganj in connection with Vijayipur P.S. Case No. 239 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 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 tamper 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)

Jyoti Kumari/-

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

