

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18591 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- BARHARA KOTHI District- Purnia

Bablu Yadav son of Dip Narayan Yadav Resident of village- Ward no. 8,
Barahara Kothi, Ps- Barahara Kothi, Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-04-2025 Heard Mr.Ajit Kumar Singh, learned counsel for
the petitioners and Mr.Uma Shankar Prasad Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barhara Kothi P.S.Case No.213 of 2024,FIR dated 09.09.2024 registered for the offences punishable under Sections 126,115(2),109,351(2),352,3(5) of B.N.S. Act.

3. Allegation against the petitioner and other co-accused persons is that they assaulted to the informant and his family members.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Although petitioner is named in the FIR but from a bare perusal of the FIR it appears that the



FIR is in two parts. In 1st part, there is specific allegation of assault attributed against co-accused person, namely, Lalho Yadav @ Mithilesh Yadav who assaulted to the informant and in the 2nd part, there is general and omnibus allegation against all the accused persons including the petitioner.

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

6. Considering the aforesaid facts, petitioner has clean antecedent and there is no specific allegation of any assault-overt act attributed against the petitioner, 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 C.J.M., Purnea in connection with Barhara Kothi P.S. Case No.213 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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