

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27426 of 2025

Arising Out of PS. Case No.-167 Year-2023 Thana- DHAMDAHA District- Purnia

Jai Chand Yadav S/O Sri Naresh Yadav R/O Village- Pakilpar, P.S-
Bihariganj, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-05-2025 Heard Mr.Amit Kumar Anand,learned counsel for the

petitioner and Mr.Sanjay Kumar Tiwary, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
28.01.2025 in connection with Dhamdaha P.S. Case No. 167 of
2023, F.I.R. dated 01.08.2023 registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 427, 386,
504, 506 and 307 of IPC and Section 27 of the Arms Act.

3. The prosecution case is based on the written report
of the informant alleging therein that on account of a land
dispute, on 01.08.2023 at about 12:40 PM, all the FIR named
accused persons including the petitioner and 25-30 unknown
miscreants by forming an unlawful assembly variously armed
came to the land of the informant and started fencing. However



when the same was protested, all the accused persons assaulted him and made firing.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that it appears from the FIR itself that due to admitted land dispute the present occurrence had taken place. 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 co-accused persons, namely, Sahil Saurav @ Saurabh Sahil and Jagarnath Yadav have been granted privilege of anticipatory bail by a Coordinate Bench of this Hon'ble Court vide orders dated 09.11.2023 and 21.6.2024 passed in Cr. Misc. Nos.70610 of 2023 and 22661 of 2024 respectively. Further submits that co-accused persons, namely, Aniket Kumar Jaiswal @ Anikesh, Lankesh Kumar, Babul Kumar Rai @ Babloo and Sri Kundan Kumar @ Kundan Kumar have been granted regular bail by different Coordinate Benches of this Hon'ble Court vide orders dated 11.10.20323, 12.10.2023, 18.10.2023 and 08.11.2023 passed in Cr. Misc. Nos.64198 of 2023, 65197 of 2023,65876 of



2023 and 67626 of 2023 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 28.01.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries thirteen more cases other than the present one but he fairly submits that out of thirteen cases, the petitioner is on bail in twelve cases, as mentioned in para-3 of the supplementary affidavit.

6. Considering the aforesaid fact, there is no specific allegation against the petitioner as alleged in the FIR and similarly situated co-accused persons have been granted privilege of anticipatory bail or regular bail by different Coordinate Benches of this Hon'ble Court, let the petitioner, above named, 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, Purnea in connection with Dhamdaha P.S. Case No. 167 of 2023, with the 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 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)

Nitesh/-

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

