

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39611 of 2025

Arising Out of PS. Case No.-494 Year-2024 Thana- MUFFASIL District- Aurangabad

1. Sanjay Yadav @ Sanjay Kumar S/o Ram Rekha Yadav @ Ram Lekha Yadav R/o Vill.- Khushi Tola, Badri Bigha, P.s.- Muffasil, Dist.- Aurangabad.
2. Pintu Kumar @ T.T S/o Ram Rekha Yadav @ Ram Lekha Yadav R/o Vill.- Khushi Tola, Badri Bigha, P.s.- Muffasil, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Tarun Prasad Mandal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2025 Heard Mr. Shailesh Kumar Singh, learned counsel
for the petitioners and Mr. Tarun Prasad Mandal, learned
Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Aurangabad (Muffasil) P.S. Case No. 494 of 2024, F.I.R. dated 25.12.2024 for the offences punishable under Sections 126(2), 115(2), 352, 351(2), 74, 324(4), 333, 109(1), 303(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including these petitioners armed with deadly weapons assaulted the informant and her family members and also stolen some valuable articles from her house.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have falsely been implicated in



the present case. He further submits that although the petitioners are named in the F.I.R but from perusal of the F.I.R it appears that the specific allegation of assault is against the co-accused, namely, Satendra Yadav and there is no allegation of any assault or overt act attributed against these petitioners.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that they have participated in the present crime in question and the petitioners carries one criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances that there is no specific allegation against these petitioners rather the specific allegation of assault is against the co-accused, Satendra Yadav, 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, Aurangabad, Bihar in connection with Aurangabad (Muffasil) P.S. Case No. 494 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. 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 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 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)

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