

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33913 of 2025

Arising Out of PS. Case No.-376 Year-2024 Thana- BAUNSI District- Banka

Shivnandan Yadav @ Shivnandan Kumar S/o Chhathu Yadav Resident of
village- Daliya, police station- Bounsi, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-07-2025 Heard Mr. Balram Kapri, learned counsel for the

petitioner and Mr. Narsingh Tanti, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bounsi P.S. Case No. 376 of 2024, F.I.R. dated 15.12.2024 for the offences punishable under Sections 126(2), 115(2), 303(2), 109, 352, 351(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, over a petty dispute this petitioner along with other accused persons have assaulted to the informant and his family members by means of lathi and iron rod also snatched ornaments and some cash from the pocket of the informant.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the informant is the agnate of the petitioner and it appears from the F.I.R itself that due to petty dispute the present occurrence took place. He further submits that the F.I.R is in two parts, according to part one, there is specific allegation against the co-accused, namely, Chhatu Yadav who happens to be the father of the petitioner and according to part two, there is general and omnibus allegation against the petitioner and other accused persons that they have assaulted to the informant.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, there is no specific allegation against the petitioner rather the specific allegation is against the co-accused Chhatu Yadav who is father of the petitioner, 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 Chief Judicial Magistrate, Banka in connection with Bounsi P.S. Case No. 376 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 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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