

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38202 of 2025

Arising Out of PS. Case No.-200 Year-2023 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Ashutosh Kumar Yadav @ Doma Yadav S/o Ramdhari Yadav R/o vill - Bharatpura, P.s.- G.B. Nagar, Distt.- Siwan
 2. Deepak Kumar Yadav S/o Dinesh Yadav R/o vill - Bharatpura, P.s.- G.B. Nagar, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-06-2025 Heard Mr. Ramchandra Sahni, learned counsel for the petitioners and Mr. Rajiv Nayan, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with G.B. Nagar P.S. Case No. 200 of 2023 , F.I.R. dated 04.06.2023 for the offences punishable under Sections 147, 341, 323, 325, 307, 379, 504, 506, 448 of Indian Penal Code.

3. According to prosecution case, the informant alleged the petitioners along with other accused persons came at his door with intention to kill him and assaulted his family members by means of iron rod and *lathi*.



4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. It appears from the FIR that due to admitted land dispute the present occurrence took place. Although the petitioners are named in the FIR but there is no specific allegation of assault or overt act against them rather the allegation levelled against them are general and omnibus.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances, petitioners have clean antecedent and there is no specific allegation of assault or overt act against them rather the allegation levelled against them are general and omnibus, 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 C.J.M., Siwan in connection with G.B. Nagar P.S. Case No. 200 of 2023, 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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