

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46770 of 2025

Arising Out of PS. Case No.-309 Year-2024 Thana- GRIYAK District- Nalanda

Nandu Yadav @ Rahul Kumar Son of Shri Sahdev Yadav @ Sadhu Yadav
village- Gulzarbigha, Po and Ps- bihar Giriyak, Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amitav Bachchan, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-07-2025 Heard Mr. Amitav Bachchan, learned counsel for
the petitioner and Mr. Vinod Shanker Modi, learned Additional
Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Giriyak P.S. Case No. 309 of 2024, F.I.R. dated 19.08.2024 for the offences punishable under Sections 191, 190, 127, 115, 132 and 352 of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons altercated with the police, abused them and created jam on NH-20 and also obstructed the government work.

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 allegation as alleged in the F.I.R. is false and fabricated and the



petitioner has not committed any offences as alleged in the F.I.R. The F.I.R. has been instituted against 10 known and 100 unknown persons and there is no specific allegation of assault against the petitioner rather there is general and omnibus allegation against all the accused persons including this petitioner. He further submits that the similarly situated co-accused, namely, Musafir Yadav and others have been granted anticipatory bail by this Court vide order dated 07.03.2025 passed in Cr. Misc. No. 9593 of 2025.

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 and the similarly situated co-accused persons have been granted anticipatory bail by this Court, 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, Nalanda, Bihar Sharif in connection with Giriyak P.S. Case No. 309 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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