

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48284 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- CHANAN District- Lakhisarai

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Dipak Kumar Yadav @ Dipak Kumar @ Mantu Yadav S/O Virendra Yadav
Village- Nayagaon, Police Station- Gidhaur, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Kumar, Advocate

For the Opposite Party/s : Mr. Arun Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-08-2025 Heard Mr. Amarendra Kumar, learned counsel for

the petitioner and Mr. Arun Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chanan P.S. Case No. 08 of 2025, F.I.R. dated 13.01.2025 for the offences punishable under Sections 126(2), 115(2), 303(2), 109, 352 and 351(2) of the Bhartiya Nyaya Sanhita, 2023.

3. According to prosecution case, all the accused persons including this petitioner were filling the area of informant's land which was digged for the foundation work and on protest made by the informant and her husband, co-accused Pramod Yadav assaulted the informant's husband on his head and this petitioner snatched gold chain from his neck and all of them fled away.

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



implicated in the present case. Although petitioner is named in the F.I.R but from perusal of the F.I.R it appears that there is no specific allegation of assault or overt act attributed against the petitioner rather the allegation against the petitioner is that he has snatched gold chain of the husband of the informant. He further submits that it appears from the F.I.R that the same is ornamental and as per the allegation of assault is concerned the same is against the co-accused, namely, Pramod Yadav @ Potan Yadav.

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 and there is no specific allegation against the petitioner, let the petitioner, above named, in the event of his 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 Additional District & Sessions 1st cum Special Judge SC/ST, Lakhisarai in connection with Chanan P.S. Case No. 08 of 2025, 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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