

Arising Out of PS. Case No.-48 Year-2025 Thana- MAIGRA District- Gaya

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- Petitioner/s

Versus

... .. Opposite Party/s

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

For the Opposite Party/s : Md. Matloob Rab, APP

ORAL ORDER

Heard Mr. Yogesh Kumar, learned counsel for

Prosecutor for the State.

115(2), 109 and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

consequences.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. Informant is the son of the petitioner no. 2 and brother of petitioner no. 1. It appears from the F.I.R itself that due to some land dispute the present occurrence has taken place. There is case and counter case between the parties. He further submits that although the informant has received injury but the injury report of the informant suggest that the injury is simple in nature caused by hard and blunt substance.

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

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, there is case and counter case between the parties and the injury found on the injured person is simple in nature, 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 1st Class, Sherghati, Gaya in connection with Maigara P.S. Case No. 48 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. 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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