

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73387 of 2024

Arising Out of PS. Case No.-44 Year-2024 Thana- Mau District- Gaya

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1. Menka Devi Wife of Pundeo Yadav Resident of village- Kurkut Bigha, PS -Mau, District -Gaya
 2. Amrita Devi @ Amrita Kumari @ Lalita Kumari Wife of Sadhu Yadav Resident of village- Kurkut Bigha, PS -Mau, District -Gaya
 3. Gore Yadav @ Umesh Yadav son of Pundev Yadav @ Pundeo Yadav Resident of village- Kurkut Bigha, PS -Mau, District -Gaya
 4. Amrendra Yadav @ Amrendra Kumar son of Jainandan Yadav Resident of village- Kurkut Bigha, PS -Mau, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr. Yogesh Kumar, learned counsel for the
petitioners and Mr. Anil Kumar, learned APP for the State.

2. Learned counsel for the petitioners submits that during the pendency of the bail application the petitioner no.4, namely, Amrendra Yadav @ Amrendra Kumar has been arrested and as such he seeks permission to withdraw this application with respect to petitioner no.4, namely, Amrendra Yadav @ Amrendra Kumar as having become infructuous.

3. Permitted to withdraw.

4. Accordingly, the present anticipatory bail application with respect to petitioner no.4, namely, Amrendra



Yadav @ Amrendra Kumar stands dismissed as withdrawn as having become infructuous.

5. The petitioners (except petitioner no.4) are apprehending their arrest in connection with Mau P.S. Case No. 44 of 2024, F.I.R. dated 21.07.2024 for the offences punishable under Sections 191(2), 191(3), 190, 115(1), 121(1), 132, 109, 324(4)(5), 352, 351(2)(3) of the B.N.S. Act, 2023.

6. According to prosecution case, there is allegation against the petitioners that they have misbehaved with the police personnel and also assaulted them. It is further alleged that they have also created hindrance in discharging their official duty.

7. Learned counsel for the petitioners (except petitioner no.4) submits that petitioners (except petitioner no.4) have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioners(except petitioner no.4) have not committed any offence as alleged in the FIR. He further submits that although there is specific allegation against the petitioners (except petitioner no.4) that they have assaulted to the police party but injury report of the informant as well as other injured persons suggests that the injuries are found simple in nature caused by



the hard and blunt substance.

8. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioners(except petitioner no.4) and submits that the petitioners have assaulted to the police personnel.

9. Considering the aforesaid facts and circumstances, let the petitioners(except petitioner no.4), 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 bonds 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, Gaya in connection with Mau P.S. Case No. 44 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ 482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners (except petitioner no.4) 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 petitioners (except petitioner no.4) tamper 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 (except petitioner no.4) 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 bonds of the petitioners (except petitioner no.4). 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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