

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73350 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- Gokhulpur District- Nalanda

Bali Yadav @ Balli Yadav @ Rambali Yadav S/o- Saryug Yadav Village-
Bhatha P.S. - Harnaut District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Kumar Sinha, Advocate
For the State	:	Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr. Pramod Kumar Sinha, learned counsel
for the petitioner and Mr. Ashok Kumar Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gokhulpur P.S. Case No. 18 of 2024, F.I.R. dated 05.07.2024 for the offences punishable under Sections 126(2), 115(2), 117(2), 303(2), 351(3), 109, 352, 79 and 3(5) of the B.N.S., 2023.

3. According to prosecution case, petitioner and other co-accused persons have assaulted to the informant and his family members due to which they sustained injuries.

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 from a bare perusal of the FIR it appears that the present FIR is in two



parts, in the first part, there is general and omnibus allegation against all the accused persons including the petitioner and in the second part, there is specific allegation of assault attributed against co-accused person, namely, Ram Bhagwan Yadav who has inflicted iron rod blow on the informant and in the second part there is allegation against the petitioner that he has assaulted on the arms of the informant by means of lathi. He further submits that although the informant has received the injury but it appears that the petitioner has assaulted on the hand of the informant which is not a vital part of the body of the informant.

5. Learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 at Biharsharif in connection with Gokhulpur P.S. Case No. 18 of 2024, subject to the



conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of the B.N.S.S., 2023 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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