

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74907 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- ISLAMPUR District- Nalanda

- 1. Munnilal Yadav @ Munni Yadav S/o Chandeshwar Yadav Resident of Village - Makhdumpur, PS- Islampur, District- Nalanda
- 2. Rajesh Kumar @ Rajesh Yadav S/o Chandeshwar Yadav Resident of Village - Makhdumpur, PS- Islampur, District- Nalanda
- 3. Munarik Yadav @ Mandrika Yadav S/o Chandeshwar Yadav Resident of Village - Makhdumpur, PS- Islampur, District- Nalanda
- 4. Chandeshwar Yadav S/o Harihar Yadav Resident of Village - Makhdumpur, PS- Islampur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 75080 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- ISLAMPUR District- Nalanda

- 1. Prince Yadav @ Prince Kumar Son of Munnilal Yadav @ Munni Yadav Resident of Village- Makhdumpur, PS- Islampur, District -Nalanda
- 2. Amirak Yadav @ Amrik Yadav Son of Chandeshwar Yadav Resident of Village- Makhdumpur, PS- Islampur, District -Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74907 of 2024)

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

(In CRIMINAL MISCELLANEOUS No. 75080 of 2024)

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 22-03-2025 Heard Mr. Ravi Shanker Pankaj, learned counsel
for the petitioners and Mr. Ganesh Prasad Singh, learned



Additional Public Prosecutor for the State in both the cases.

2. The petitioners are apprehending their arrest in connection with Islampur P.S. Case No. 101 of 2024, F.I.R. dated 08.03.2024 for the offences punishable under Sections 147, 149, 341, 342, 323, 324, 325 and 379 of the Indian Penal Code and later on Section 307 of the Indian Penal Code was added.

3. According to prosecution case, all the accused persons including these petitioners have brutally assaulted the informant on a petty dispute and also assaulted informant's wife and snatched her ear rings.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that although the petitioners are named in the F.I.R but from perusal of the F.I.R it appears that there is no specific allegation against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners. Apart from that that injury report of the injured persons suggest that the injuries are simple in nature except one, which was found on the leg of the informant and was described as grievous in nature because it was fracture in the informant's leg. He further



submits that there is case and counter case between the parties.

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 and injuries inflicted on the injured persons are simple in nature except one which was on the leg of the informant, 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 Additional Chief Judicial Magistrate, Hilsa, District- Nalanda in connection with Islampur P.S. Case No. 101 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. 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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