

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73573 of 2024

Arising Out of PS. Case No.-216 Year-2024 Thana- KONCH District- Gaya

1. Kail Yadav Son of Late Lalji Yadav Resident of Village- Rasalpur, PS-Konch, District -Gaya
2. Meghu Yadav Son of Late Ramdas Yadav Resident of Village- Rasalpur, PS-Konch, District -Gaya
3. Raj Kumar Yadav Son of Kail Yadav Resident of Village- Rasalpur, PS-Konch, District -Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2025 Heard Mr. Sudhir Kumar Sinha, learned counsel
for the petitioner and Mr. Ahmad Ali, learned Additional Public
Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Konch P.S. Case No. 216 of 2024, F.I.R. dated 26.05.2024 for the offences punishable under Sections 147, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, all the accused persons have assaulted the informant and her family members due to some land dispute and snatched gold chain from her neck.

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 the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R. it appears that the present case is the counter blast of Konch P.S. Case No. 213 of 2024 which was filed by the petitioners against the informant. He further submits that the informant and the petitioners are agnate and due to some land dispute the present occurrence has taken place. He further submits that although informant side have received injuries but the injury report of the injured persons suggest that the injuries are simple in nature.

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 injuries received by the injured persons are 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,



Gaya in connection with Konch P.S. Case No. 216 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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