

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79409 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- MANIGACHI District- Darbhanga

Rahul Yadav S/O Udgar Yadav @ Ram Udgar Yadav R/O Vill- Rampur
Bahuarwa, P.S.- Manigachhi, Distt- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-04-2025 Heard Mr. Girish Chandra Jha, learned counsel for

the petitioner and Mr. Mukesh Kumar Singh, learned Additional

Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Manigachhi P.S. Case No. 70 of 2024, F.I.R. dated 29.03.2024 for the offences punishable under Sections 341, 323, 324, 307, 354, 342, 504 and 34 of the Indian Penal Code.

3. According to prosecution case that when the informant was going towards her field and as soon as he reached near Badh, the accused persons started abusing her and on protest accused persons having a common intention assaulted her.

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 the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. Although, there is specific allegation against the petitioner that he assaulted the informant by means of axe and the informant has received injury, but the injury report suggests that no significant abnormality detected.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts that the petitioner is having clean antecedent and the injury inflicted upon the person is not serious in nature, 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 Additional Chief Judicial Magistrate-V, Darbhanga in connection with Manigachhi P.S. Case No. 70 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. 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.)

Jyoti Kumari/-

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