

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86799 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- SIMULTALLA District- Jamui

Bachhu Yadav S/O Sukhdeo Yadav R/O - Chraiya,P.S- Simultalla, District-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2025 Heard Mr.Pankaj Kumar Sinha, learned counsel for
the petitioner and Mr.Pramod Kumar Pandey, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Simultalla P.S.Case No.61 of 2024,FIR dated 03.08.2024 registered for the offences punishable under Sections 216(2),115(2),74,76,352,351(2),3(5) of Bhartiya Nyay Sanhita.

3. The prosecution case, in short, is that the petitioner is aganate of informant and among them a scuffle happened due to which petitioner attacked the informant over his head and assault happened.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. Due



to petty dispute, the present occurrence had taken place. Further submits that from a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 29.07.2024 but the present FIR has been instituted on 03.08.2024 after delay of about 05 days without giving any explanation of delay. Although there is specific allegation against the petitioner that he assaulted to the informant and her family members. Although the informant has received the injury but the injury report of the informant suggests that the injury is simple in nature caused by hard and blunt substance.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, let the petitioner, above named, in the event of his 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 learned C.J.M., Jamui in connection with Simultalla P.S.Case No.61 of 2024, subject to



the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 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/her absence on two consecutive dates without sufficient reason, his/her 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/her 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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