

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87693 of 2024

Arising Out of PS. Case No.-667 Year-2024 Thana- DIGHA District- Patna

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Kailash Pati Yadav @ Kailash Prasad S/o Lal Babu Yadav R/o Mohalla -
Makhaniyakuan, P.S. - Pirbahore, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Uma Shankar Singh, Sr. Advocate.
		Mr. Dilip Kumar Roy, Advocate.
For the State	:	Mr. Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Digha P.S. Case No. 667 of 2024 dated 20.09.2024, registered for the offences punishable under Sections 115(2), 126, 351(2), 352, 303(2), 74, 109, 3(5) of Bhartiya Nayaya Sanhita, 2023.

3. As per allegation, the accused persons including the petitioner have assaulted the informant leading to his injury and the injured informant has been referred to PMCH for his getting treatment.

4. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the specific allegation of assault is against the co-accused Aniket Kumar and there is general and omnibus allegation against the other accused persons including the petitioner. He also submits that the lady accused persons have already been enlarged on bail by learned court below.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has got clean antecedent.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Amit Baibhav, learned Sub Judge-XIII cum ACJM 13, Patna, in connection with Digha P.S. Case No. 667 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC and on



the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any additional criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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