

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87985 of 2024

Arising Out of PS. Case No.-696 Year-2024 Thana- JAMUI District- Jamui

Vikash Yadav Son of Shambhu Yadav Resident of Village - Bithalpur, P.S. and District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 88255 of 2024

Arising Out of PS. Case No.-696 Year-2024 Thana- JAMUI District- Jamui

Shubham Kumar Son of Ravindra Ray @ Ravindra Kumar Ray Resident of Village - Lagma, P.S. and District - Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 87985 of 2024)
For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP
(In CRIMINAL MISCELLANEOUS No. 88255 of 2024)
For the Petitioner/s : Mr. Satya Prakash Parasar, Adv.
For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-01-2025 Heard Mr. Satya Prakash Parasar, learned counsel for
the petitioners in both the cases and the State.

2. The petitioners are in custody in connection with
Jamui P.S. Case No. 696 of 2024 for the offence punishable
under sections 126(2), 115(2), 109, 140(3) and 3(5) of the
Bharatiya Nyaya Sanhita, 2023 lodged on 24.10.2024 by the



informant, Himanshu Viswakarma.

3. As per the FIR, the informant went to the Sadar Hospital, Jamui to enquire about the dialysis of his brother when his motorcycle was stopped by Pawan Yadav and enquired as to whether he belonged to the same group which had beaten his friends earlier. Upon denial, Pawan Yadav started beating him near the hospital, forced him to seat on the motorcycle with his accused persons which included Nitish Kumar, Bhola Kumar, Amit Yadav, Rohit Yadav and Vikash Modi, assaulted him with iron rod. Further allegation against Pawan Yadav is of putting country made pistol into his mouth. As he was being taken towards Tripurari Ghat, the Police/112 mobile team was informed and upon their reaching the place, the accused escaped. This led to the FIR.

4. Learned counsel for the petitioners submit that they have absolutely no role to play in the matter not being in the either group of Pawan Yadav and/or the informant. Both are not named in the FIR nor any assault part has been ascribed to them. They have already remained in custody since 08.10.2024/25.10.2024 and further both have no criminal antecedent.

5. Learned APP opposes the prayer for bail submitting



that their name has come in the course of investigation.

6. Considering the submissions put forward by the parties as also that both the petitioners are not named in the FIR, are in custody since 08.10.2024/25.10.2024 having no criminal antecedent. Specific allegation of assault is against Pawan Yadav as also some named accused, in that background, this Court is inclined to extend them the privilege of bail with conditions.

7. Let the petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 696 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(v) the petitioners shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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