

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2344 of 2025

Arising Out of PS. Case No.-277 Year-2024 Thana- KHUSRUPUR District- Patna

1. Ashok Yadav @ Ashok Singh

2. Mukesh Yadav

Both S/o- Late Mundarik Singh, both Resident of Village- Mansurpur, P.S.- Khusrupur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 30-07-2025 Heard Mr.Surendra Kumar Mishra, learned

counsel for the petitioners and Mr.Bhanu Pratap Singh,

learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Khusrupur P.S.Case No.277 of 2024, FIR dated 06.07.2024 registered for the offences punishable under Sections 147,148,323,325,341,504,506,307 of the Indian Penal Code.

3. According to prosecution case, all the accused persons including the petitioners brutally assaulted to the informant by iron rod.

4. Learned counsel for the petitioners submits that



it appears from the FIR that due to land dispute, the present occurrence has taken place. From a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 16.06.2024 but the present FIR has been instituted on 05.07.2024 after delay of 21 days without giving any explanation of delay. Although the petitioners and informant are agnates to each other and although the specific allegation against the petitioners is that they assaulted to the informant but there is no injury report is available on the record which suggests that the informant has received any injury.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for anticipatory bail of the petitioners and submits that petitioner No.2 carries two more cases, out of two cases, in one case he is on bail and in another case, he has been acquitted and petitioner No.2 carries one more case other than the present one but fairly submits he has been acquitted, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts, let the petitioners, above named, in the event of their 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 learned Judicial Magistrate, 1st Class, Patna City in connection with Khusrupur P.S.Case No.277 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 bonds shall be cancelled by the Court below.

(II) If the petitioners tamper 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 antecedents, 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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