

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14352 of 2020

Arising Out of PS. Case No.-317 Year-2019 Thana- BARACHATTI District- Gaya

1. Naresh Prasad Son of Late Sitaram Mahto Resident of Village - Kharne,
P.S.- Barachatti, District - Gaya
2. Yogendra Prasad Son of Ratan Mahto Resident of Village - Mahkampur,
P.S.- Barachatti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-07-2020 Heard counsel for the petitioners and counsel
appearing on behalf of the State.

The petitioners is apprehending arrest in
connection with Barachatti P.S. Case No. 317 of 2019 for
offences under Sections 147, 149, 341, 323, 307 and 379 IPC.

Learned counsel for the petitioners submits that
the petitioners have no criminal antecedent. There is delay of
one week in lodging the FIR.

Considering the fact that there is delay of one week in
lodging the FIR and the nature of allegation against petitioner
no.1, the Court is inclined to grant bail to the petitioner no.1.
Let the petitioner no.1, namely, Naresh Prasad, in the event of



arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the ACJM, Sherghati (Gaya) in connection with Barachatti P.S. Case No. 317 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P. C.

So far as petitioner no.2, namely, Yogendra Prasad is concerned, there is allegation of assault against him and as such, the Court is not inclined to grant anticipatory bail to him. The prayer is rejected.

However, liberty shall be available to the petitioner no.2, namely, Yogendra Prasad to surrender before the court below and pray for regular bail which shall be considered and disposed of by the court below on the same day without being prejudiced by the rejection of his anticipatory bail by this Court.

(Anil Kumar Upadhyay, J)

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