

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72779 of 2019

Arising Out of PS. Case No.-63 Year-2019 Thana- PARAIYA District- Gaya

1. Mukesh Kumar, Son of Bhola Yadav, Resident of Village- Boknari, P.S.- Paraiya in the District of Gaya.
2. Bhola Yadav, Son of Laxman Yadav, Resident of Village- Boknari, P.S.- Paraiya in the District of Gaya.
3. Savita Devi @ Kanti Devi, Wife of Bhola Yadav, Resident of Village- Boknari, P.S.- Paraiya in the District of Gaya.
4. Mosafir Yadav, Son of Laxman Yadav, Resident of Village- Boknari, P.S.- Paraiya in the District of Gaya.
5. Geeta Devi @ Gita Devi, Wife of Krishan Yadav, Resident of Village- Boknari, P.S.- Paraiya in the District of Gaya.
6. Sudhir Kumar, Son of Mosaphir Yadav @ Masafir Yadav, Resident of Village- Boknari, P.S.- Paraiya in the District of Gaya.
7. Pankaj Kumar, Son of Mosaphir Yadav @ Masafir Yadav, Resident of Village- Boknari, P.S.- Paraiya in the District of Gaya.
8. Yogendra Yadav @ Yogendra Kumar, Son of Krishna Yadav, Resident of Village- Boknari, P.S.- Paraiya in the District of Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 06-03-2020 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307 and 353 of the IPC.

The prosecution case, as per the written report of Diwakar



Kumar Vishwkarma submitted to the learned Additional Chief Judicial Magistrate-III, Gaya, is to the effect that on 27.04.2019, the informant along with police party recovered the abducted victim of Paraiya P.S. Case No. 62 of 2019 and when the informant along with the police party persons proceeded with the victim girl, they were being attacked by altogether 34 named accused persons and 25 unknown accused persons.

It is submitted by the learned counsel for the petitioner that the accusation is omnibus and general against all the accused persons including the petitioners. A statement has been made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent. Moreover similarly situated co-accused, Birju Kumar, Niraju Kumar, Raju Kumar, Malichand Yadav, Prem Chandra Kumar and Babu Chand Yadav have been granted anticipatory bail by a coordinate bench of this Court vide order dated 17.02.2020 passed in Criminal Miscellaneous No. 83668 of 2019.

Learned APP, after going through the case diary submits that the petitioners were also part of the mob.

Considering the accusation being omnibus and general, similarly situated co-accused persons being granted anticipatory bail by a Coordinate bench of this Court, coupled



with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Gaya in connection with Paraiya P.S. Case No. 63 of 2019 subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J.)

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