

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83668 of 2019

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

1. BIRJU KUMAR @ BIRJU YADAV Son of Malichand Yadav Resident of Village - Boknari, P.S.- Paraiya, Distt - Gaya.
2. Niarju Kumar @ Niarju Yadav Son of Malichand Yadav Resident of Village - Boknari, P.S.- Paraiya, Distt - Gaya.
3. Raju Kumar @ Raju Yadav Son of Malichand Yadav Resident of Village - Boknari, P.S.- Paraiya, Distt - Gaya.
4. Malichand Yadav Son of Late Janki Yadav Resident of Village - Boknari, P.S.- Paraiya, Distt - Gaya.
5. Prem Chandra Kumar @ Prem Chand Kumar Son of Babu Chand Yadav Resident of Village - Boknari, P.S.- Paraiya, Distt - Gaya.
6. Babu Chand Yadav @ Baba Chand Yadav Son of Late Janki Yadav Resident of Village - Boknari, P.S.- Paraiya, Distt - Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kunal Tiwary
For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 17-02-2020 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Paraiya P.S. Case No. 63 of 2019 registered for the offence punishable under sections 147, 148, 149, 307 and 353 of the Indian Penal Code.

As per allegation in the F.I.R., while the informant



along with other police personnel had gone to recover the victim Sharifa Kumari, there was some altercation as a result of which 34 named accused persons including the six petitioners herein along with 20-25 unknown persons started to protest and in the violence, the informant and others were injured.

It is submitted by learned counsel for the petitioners that the victim recovered in connection with another FIR which is brought on record as Annexure-2 to this application happens to be the daughter of one of the named accused herein is Indradev Yadav. It is further submitted that the allegations are general and omnibus in nature and the petitioners have no criminal antecedent.

The application for bail is opposed by learned Additional Public Prosecutor for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the fact that petitioners have no criminal antecedent, this Court is inclined to grant anticipatory bail to the petitioners. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the 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.

(Partha Sarthy, J)

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