

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23872 of 2020

Arising Out of PS. Case No.-250 Year-2019 Thana- VISHNUPAD District- Gaya

1. NARESH YADAV Son of Late Mathura Yadav Resident of Mohalla- Madanpur, Bypass Road, P.S.- Vishnupad, Gaya.
2. Jitendra Yadav Son of Naresh Yadav Resident of Mohalla- Madanpur, Bypass Road, P.S.- Vishnupad, Gaya.
3. Upendra Yadav @ Upendra Kumar Son of Naresh Yadav Resident of Mohalla- Madanpur, Bypass Road, P.S.- Vishnupad, Gaya.
4. Munna Singh @ Munna Kumar Singh Son of Awadhesh Singh Resident of Mohalla- Madanpur, Markandey Gali, P.S.- Vishnupad, District- Gaya.
5. Anup Yadav S/o Ramchandra Yadav @ Ramchandra Prasad Resident of Village- Gopi Bigha, P.S.- Magadh Medical, District- Gaya.
6. Deepak Yadav Son of Ramchandra Yadav @ Ramchandra Prasad Resident of Village- Gopi Bigha, P.S.- Magadh Medical, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Thakur, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar, APP.
For the Informant	:	Mr. Arun Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 08-01-2021 Heard the learned counsel for the petitioners and Shri Ashok Kumar, the learned A.P.P. for the State.

At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner no. 1.

Accordingly, the present petition qua the petitioner no. 1 stands dismissed as not pressed.

The petitioners apprehend their arrest in connection with Vishnupad P.S. Case No. 250 of 2019 for the offence



registered under Sections 147, 148, 149, 386, 387, 427, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons including the petitioners herein having arrived at the construction site of the informant, whereafter they are alleged to have engaged in threatening the informant as also had demanded extortion money.

The learned counsel for the petitioner has submitted that the petitioners are innocent and they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that the petitioner nos. 4 to 6 are having clean antecedent. It is also submitted that a general and omnibus allegation has been levelled as far as the petitioner nos. 2 to 6 are concerned.

Per contra, the learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions of the learned counsel for the petitioners and taking into account the materials available in the case dairy as also considering the fact that as far as the petitioner nos. 2 to 6 are concerned, there is no allegation of any



specific overt act having been engaged in by them, I deem it fit and proper to admit the petitioner nos. 2 to 6 herein to the privilege of anticipatory bail.

Accordingly, the petitioners no. 2 to 6, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Vishnupad P.S. Case No. 250 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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