

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31343 of 2020

Arising Out of PS. Case No.-223 Year-2018 Thana- MANSI District- Khagaria

1. BIKRAM YADAV Son of Late Hariballab Yadav Resident of Village- Chukti, P.S.- Mansi, District- Khagaria.
2. Balbir Chand Yadav Son of Late Hariballab Yadav Resident of Village- Chukti, P.S.- Mansi, District- Khagaria.
3. Bipin Yadav Son of Harinandan Yadav Resident of Village- Chukti, P.S.- Mansi, District- Khagaria.
4. Pintu Yadav Son of Late Attal Yadav Resident of Village- Chukti, P.S.- Mansi, District- Khagaria.
5. Naresh Yadav Son of Fekan Yadav Resident of Village- Chukti, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh, Adv.
For the Opposite Party/s : Mr.Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-02-2021 Heard the learned counsel for the petitioners and Mr. Ashok Kumar, the learned APP appearing for the State.

This is an application for grant of anticipatory bail in connection with Mansi P.S. Case No. 223 of 2018 registered for the offence punishable under Sections 447, 341, 323, 427, 307, 384, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.



The case of the prosecution in brief is that on 13.11.2018 at about 9:00 pm., the informant along with her family members was sitting at her Basa and in the meantime, the accused persons including the petitioners had arrived there, armed with deadly weapons, and had torn their poster, whereafter, they had engaged in overt act and committed loot of various articles as also demanded extortion money of Rs. 50,000/-.

The learned counsel for petitioners has submitted that the petitioners are innocent and the present case arises out of case and counter case and the case filed by the petitioners is first in time. It is further submitted that the petitioners have not been alleged to have inflicted grievous injuries on any of the members of the prosecution side.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners and taking into account the materials available on record as



also those available in the case diary, I find that there are ample materials to prima facie show the complicity of the petitioners in the alleged occurrence and moreover, the petitioners no. 1 and 2 appear to be veteran criminals inasmuch as they are accused in several criminal cases whereas the rest of the accused persons are also accused in some criminal cases, hence I do not find the present case to be a fit case for grant of anticipatory bail, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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