

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6813 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- KURTHA District- Jehanabad

1. NIRAJ KUMAR Son of Umesh Yadav Resident of Village - Kurtha Bala, P.S.- Kurtha, Distt.- Arwal.
2. Ranjeet Kumar Son of Bajrangi Yadav Resident of Village - Kurtha Bala, P.S.- Kurtha, Distt.- Arwal.
3. Janardhan Yadav Son of Late Racchaya Yadav Resident of Village - Kurtha Bala, P.S.- Kurtha, Distt.- Arwal.
4. Sanjay Yadav @ Sanjay Kumar Son of Suresh Yadav Resident of Village - Kurtha Bala, P.S.- Kurtha, Distt.- Arwal.
5. Naresh Yadav Son of Late Matwar Yadav Resident of Village - Kurtha Bala, P.S.- Kurtha, Distt.- Arwal.
6. Prince Kumar Son of Subhash Yadav Resident of Village - Kurtha Bala, P.S.- Kurtha, Distt.- Arwal.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 02-02-2021 Heard learned counsel for the petitioner and the State.

The petitioners are apprehending arrest in connection with Kurtha P.S. 27/2020 for the offences under Sections 147, 148, 149, 341, 323, 325, 307, 379, 504 IPC.

Learned counsel for the petitioners informs the Court that during the pendency of this application, petitioner Nos. 4 and 5, namely, Sanjay Yadav @ Sanjay Kumar and Naresh



Yadav have been arrested and as such this application on their behalf for grant of anticipatory bail has become infructuous.

The application on behalf of petitioner nos. 4 and 5 namely, Sanjay Yadav @ Sanjay Kumar and Naresh Yadav, is, accordingly, disposed of as infructuous.

Since there is allegation of overt act against the petitioner nos. 2 and 6, namely, Ranjeet Kumar and Prince Kumar, the Court is not inclined to grant them privilege of anticipatory bail. The prayer on their behalf is therefore, rejected.

However, if the petitioner nos. 2 and 6 surrender and pray for regular bail, the court below shall dispose of the application for regular bail on its own merit.

So far as petitioner nos. 1 and 3, namely, Niraj Kumar and Janardhan Yadav are concerned, from the FIR it appears that there is no specific overt act alleged against these two petitioners. Considering the aforesaid, the Court is inclined to grant privilege of anticipatory bail to the petitioner nos. 1 and 3. Let the petitioner nos. 1 and 3, above named, in the event of arrest or surrender within one month from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of Rs. 50,000/- (Fifty Thousand) each with



two sureties of the like amount each to the satisfaction of the
Chief Judicial Magistrate, Arwal in connection with Kurtha P.S.
Case No. 27 of 2020, subject to the conditions laid down under
Section 438(2) Cr.P.C.

(Anil Kumar Upadhyay, J)

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