

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31104 of 2021

Arising Out of PS. Case No.-279 Year-2020 Thana- BIHAR District- Nalanda

1. SANJEET KUMAR S/O Pramod Yadav R/O Village - Korai, P.S. - Deepnagar, District - Nalanda at present Village - Banauliya, P.S. - Bihar, District - Nalanda.
2. Pramod Yadav S/O Late Chando Yadav R/O Village - Korai, P.S. - Deepnagar, District - Nalanda at present Village - Banauliya, P.S. - Bihar, District - Nalanda.
3. Rahul Yadav S/O Tari Gope R/O Village - Nakatpura, P.S. - Bihar, District - Nalanda.
4. Tari Gope S/O Late Somar Yadav R/O Village - Nakatpura, P.S. - Bihar, District - Nalanda.
5. Mannu Gope S/O Balram Yadav R/O Village - Nakatpura, P.S. - Bihar, District - Nalanda.
6. Manoj Yadav S/O Satkasur Yadav R/O Village - Nakatpura, P.S. - Bihar, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 16-05-2022 For the reason of this case not having been taken up even once for a year, a priority hearing has been given in this matter.

Heard Mr. Raj Kishor Prasad, learned Advocate for the petitioners no. 1, 3, 4, 5 and 6 and the learned APP for the State.

The application with respect to petitioner no. 2/Pramod Yadav was earlier dismissed as withdrawn.

The petitioners no. 1, 3, 4, 5 and 6 seeks bail in



anticipation of their arrest in connection with Bihar P.S. Case No. 279 of 2020 dated 24.04.2020 instituted for the offences under Sections 147, 148, 149, 341, 323, 324, 379, 307, 325 and 34 of the Indian Penal Code.

The learned counsel for the petitioners has submitted that though the accusation has been hurled against all the accused persons but such accusation appears to be overtly exaggerated. There was some dispute between the parties as a result of which a scuffle took place in which some of the persons have been injured.

However, the petitioners no. 5 and 6 are said to have assaulted one Ajay, who has received grievous injuries. The assault perpetrated by petitioners no. 3 and 4 have only resulted in simple injuries to the victims. So far as petitioner no. 1 is concerned, he is said to have been armed with a pistol which he never used.

Considering the afore-noted circumstances and the nature of accusation, I am not inclined to grant anticipatory bail to petitioners no. 5 and 6 (Mannu gope and Manoj Yadav respectively), who have caused grievous injuries to one of the victims.

Accordingly, their prayer for anticipatory bail is rejected.



However, if they surrender before the court below and seek bail, their applications shall be considered on their own merits without being prejudiced by the fact that the present petition on their behalf has not been entertained.

So far as petitioners no. 1, 3 and 4 (Sanjeet Kumar, Rahul Yadav and Tari Gope respectively) are concerned, regard being had to the nature of accusation against them, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 279 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

While saying so, the Court has also taken note of the fact that the petitioners no. 1, 3 and 4 do not have criminal antecedents.

(Ashutosh Kumar, J)

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