

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21172 of 2022

Arising Out of PS. Case No.-119 Year-2021 Thana- GOGRI District- Khagaria

1. SUDHANSHU KUMAR S/o Rupesh Kumar R/o village- Usari, P.S.- Gogri, District- Khagaria
2. Pramod Yadav S/o Ramvilas Yadav R/o village- Usari, P.S.- Gogri, District- Khagaria
3. Angad Yadav S/o Ramvilas Yadav R/o village- Usari, P.S.- Gogri, District- Khagaria
4. Ramvilas Yadav S/o Late Tejnarayan Yadav R/o village- Usari, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners, at the outset,
seeks permission to withdraw the present anticipatory bail
application with regard to appellant no. 1.

Permission is accorded.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 447, 341,
323, 324, 307, 379, 385, 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that the



petitioner nos. 2, 3 and 4 are persons with clean antecedent and the informant alleges that on 19.03.2021 at 1:30 PM when she was sitting at the gate of her house then Angad, Rajiv and Pravin came and fired with the country-made pistols and also asked about the whereabouts of her husband, it is next alleged that thereafter Jitni Devi and Ruchi Devi came and hold the informant out of the house by catching her hair and thereafter Angad and Pramod assaulted on her head by a sharp-edged weapon and lathi causing injury, thereafter Sudhanshu and Pramod snatched her mangalsutra.

Learned counsel for the petitioners submits that from bare perusal of allegation as alleged in the FIR, it would manifest that though there is allegation of assault on head but then only one injury was found and the injury was simple in nature, it is next submitted that the present occurrence took place on account of land dispute and as far as demanding extortion is alleged i.e., against Rajiv Kumar, the learned counsel for the petitioners next submits that as far as demanding extortion is alleged the same is ornamental, as Rajiv is in service of C.R.P.F., and thus has been implicated for ulterior reasons.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.



Considering the submissions made by the learned counsel for the petitioners, the petitioner nos. 2, 3 and 4, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gogari P.S. Case No. 119 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if an application is filed by the investigating authority that the petitioners after obtaining bail are not co-operating in the investigation then the trial court will be at liberty to cancel their bail bonds after recording reasons.

(Satyavrat Verma, J)

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