

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22329 of 2022**

Arising Out of PS. Case No.-240 Year-2021 Thana- BIKRAM District- Patna

1. Ram Kumar Yadav @ Ram Kumar Son Of Late Deep Narayan Yadav R/O Village- Andhra Chowki, P.S.- Bikram, District- Patna (BIHAR)
2. Kishun Kumar Yadav @ Kishun Kumar Son Of Late Deep Narayan Yadav R/O Village- Andhra Chowki, P.S.- Bikram, District- Patna (BIHAR)
3. Bhushan Kumar Son Of Ram Kumar Yadav @ Ram Kumar R/O Village- Andhra Chowki, P.S.- Bikram, District- Patna (BIHAR)
4. Pittu Kumar @ Puttu Raj Son Of Ram Kumar Yadav @ Ram Kumar R/O Village- Andhra Chowki, P.S.- Bikram, District- Patna (BIHAR)
5. Niranjana Kumar Son Of Kishun Kumar Yadav R/O Village- Andhra Chowki, P.S.- Bikram, District- Patna (BIHAR)

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar, Advocate  
For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      20-05-2022      Heard learned counsel for the petitioners and the State through virtual mode.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of four weeks.

Counsel for the petitioners seeks permission to withdraw this application with regard to petitioner No. 4 namely, Pittu Kumar @ Puttu Raj as during pendency of this application, he has been taken into judicial custody.



Permission is granted.

Accordingly, this application with regard to petitioner No. 4 namely, Pittu Kumar @ Puttu Raj is dismissed as withdrawn.

The petitioner Nos. 1, 2, 3 & 5 are apprehending their arrest in Bikram P.S. Case No. 240 of 2021 registered for the offence under Sections 147, 148, 149, 341, 323, 447, 448, 379, 504, 427 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in brief is that the accused persons having armed with weapons arrived at informant's house and started abusing him in filthy language which was objected by informant's brother-in-law as a result of which, he was assaulted. Firing was also made during the occurrence. The gold chain of the informant's brother-in-law was also snatched away.

It has been submitted on behalf of the petitioner Nos. 1, 2, 3 & 5 that the petitioner Nos. 2 & 5 have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner Nos. 1, 2, 3 & 5. The petitioner Nos. 1, 2, 3 & 5 have been falsely implicated in the present case due to previous enmity. General and omnibus allegation has been made against the petitioner Nos. 1, 2, 3 & 5. No specific overt act is alleged against the petitioner Nos. 1, 2, 3 & 5.



On behalf of the State, it is submitted that the petitioner Nos. 1, 2, 3 & 5 are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner Nos. 1, 2, 3 & 5, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Danapur, Patna in connection with Bikram P.S. Case No. 240 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

A.K.V.//-

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