

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13069 of 2023

Arising Out of PS. Case No.-399 Year-2020 Thana- BAHERA District- Darbhanga

1. DEV NARAYAN YADAV Son of Kusheshwar Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
2. VINOD YADAV Son of Kusheshwar Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
3. PAWAN YADAV Son of Shiwan Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
4. SATYANARAYAN YADAV @ BATHAN YADAV @ BACCHAN YADAV Son of Kusheshwar Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
5. VIKASH YADAV Son of Mahesh Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
6. CHANDRAVIR YADAV Son of Satyanarayan Yadav @ Bacchan Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
7. BABU PRASAD YADAV Son of Kusheshwar Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
8. MAHESH YADAV Son of Late Sukhdeo Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
9. ABBU YADAV @ RAHUL KUMAR YADAV Son of Mahesh Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
10. CHANDAN YADAV Son of Mahesh Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga
11. VIKASH YADAV Son of Shiwan Yadav R/v- Dakhram, P.S.- Bahera, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha
For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-05-2023 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in



connection with Bahera P.S. Case No. 399 of 2020, registered for the offence punishable under Sections 452, 143, 323, 337, 325, 308 and 354 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having demanded a sum of Rs. 20,000/- as ransom money from the informant and upon refusal to give the same, they are alleged to have assaulted the informant and his family members, after entering inside the house of the informant on 1.11.2020 at about 6:00 pm.

The learned counsel for the petitioners submits that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that except the petitioners no. 1, 2 and 6, no specific allegation has been levelled against the other petitioners of having engaged in any sort of specific overt act. The learned counsel for the petitioners has also referred to the impugned order dated 25.1.2023 to submit that no injury report is available in the case diary, which shows that no serious injuries have been sustained by the injured persons.

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, taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against most of the petitioners, apart from the fact that there is no injury report on record of the case diary so as to suggest that any serious injury was sustained by the members of the prosecution party, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Benipur, District-Darbhanga, in connection with Bahera P.S.Case No. 399/2020, corresponding to G.R. No. 400/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

