

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14042 of 2023

Arising Out of PS. Case No.-625 Year-2022 Thana- SHERGHATI District- Gaya

1. Devraj Yadav S/O Aditya Yadav Resident Of Village- Ghoda Jara, Baiju Bigha, P.S.- Sherghatty, District- Gaya.
2. Sujit Kumar @ Sujeet Kumar @ Sanjiv Yadav S/O Jai Yadav @ Jay Yadav @ Jai Yaav @ Jai Yeadav Resident Of Village- Ghoda Jara, Baiju Bigha, P.S.- Sherghatty, District- Gaya.
3. Sunaina Devi @ Manju Devi W/O Devraj Yadav Resident Of Village- Ghoda Jara, Baiju Bigha, P.S.- Sherghatty, District- Gaya.
4. Bhuneshwar Yadav @ Muneshwar Yadav @ Bhuneshwar Yadav S/O Late Keshar Yadav Resident Of Village- Ghoda Jara, Baiju Bigha, P.S.- Sherghatty, District- Gaya.
5. Guddu Yadav @ Guddu Kumar S/O Late Ramswarup Yadav Resident Of Village- Ghoda Jara, Baiju Bigha, P.S.- Sherghatty, District- Gaya.
6. Umesh Yadav S/O Suraj Yadav Resident Of Village- Ghoda Jara, Baiju Bigha, P.S.- Sherghatty, District- Gaya.
7. Suraj Yadav S/O Late Keshar Yadav Resident Of Village- Ghoda Jara, Baiju Bigha, P.S.- Sherghatty, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 323, 325, 504, 379, 354 and 308 of the Indian Penal Code.

As per FIR, all the named accused persons including the petitioners having lathi, danda, rod and sword attacked upon



the informant with intention to kill him using abusive language.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is case and counter case between the parties and both sides have sustained injury. He submits that there is no specific overt act against the petitioners. He submits that there is general and omnibus allegation levelled against the petitioners. He submits that similarly situated co-accused has already been granted bail by this Court vide order dated 10.02.2023 passed in Cr. Misc. No. 4349 of 2023. He further submits that petitioners have no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that there is no specific allegation against the petitioner nos. 1, 2, 3, 5 and 6, let the above named petitioner nos. 1, 2, 3, 5 to 6 in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the



learned court below where the case is pending/successor court in connection with Sherghatti P.S. Case No. 625 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

So far as with regard to petitioner nos. 4 and 7 are concerned, there is specific allegation against them, I am not inclined to enlarge the petitioner nos. 4 and 7 on bail. Accordingly, their prayer for anticipatory bail is rejected in connection with the aforesaid case.

This application is party allowed.

(Anjani Kumar Sharan, J)

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