

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17195 of 2023

Arising Out of PS. Case No.-454 Year-2020 Thana- ATRI District- Gaya

1. ASHOK KUMAR @ ASHOK YADAV Son of Chandrika Prasad Yadav @ Chandrika Yadav Resident of village - Dhaukal Bigha, Police Station - Atri, District - Gaya
2. Manoj Yadav Son of Umesh Yadav @ Shivnandan Yadav Resident of village - Dhaukal Bigha, Police Station - Atri, District - Gaya
3. Loha Singh @ Sujit Kumar Son of Chandrika Prasad Yadav @ Chandrika Yadav Resident of village - Dhaukal Bigha, Police Station - Atri, District - Gaya
4. Bhonu Kumar @ Pramod Yadav Son of Umesh Yadav @ Shivnandan Yadav Resident of village - Dhaukal Bigha, Police Station - Atri, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-05-2023 Heard Mr. Sailesh Kumar, learned counsel for the petitioners and Mr. Ram Sevak Choudhary, learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Atri PS Case No. 454/2020 dated 23.12.2020 registered for the offence punishable under Sections 341, 323, 365, 511, 379, 343, 504/34 of the IPC & 25 (1-b) of the Arms Act.

3. As per allegation made in the FIR, while the informant along with his cousin brother-in-law (Mausera Sala) had gone to the market, they were intercepted by nine named



accused persons including the petitioners, who, allegedly, forced the informant to sit in a Bolero vehicle, took him to their village, Dhaukal Bigha where the accused persons tied him to a palm tree and thereafter, one co-accused, Sunil Kumar @ Binod assaulted him with butt of the pistol causing injury on his lips. The accused persons also snatched Rs. 5000/- and valuables from the pocket of the informant.

4. Learned counsel for the petitioners submits that the the petitioners have falsely been implicated in this case due to village politics. He further submits that the allegation against the petitioners is general and omnibus in nature and the similarly situated accused persons have been granted anticipatory bail *vide* Annexure-2 to this application.

5. Regards being had to the submissions made by the parties, taking into consideration the fact that similarly situated accused persons have been granted anticipatory bail by a Bench of this Court, petitioners have got no criminal antecedents and the allegation against the petitioners is general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.



10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Gayitri Kumari, learned Additional Chief Judicial Magistrate-XIII-cum-Sub Judge-XIV, Gaya in connection with Atri PS Case No. 454/2020, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

perwez

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

