

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26881 of 2023

Arising Out of PS. Case No.-2 Year-2022 Thana- TANKUPPA District- Gaya

1. NAGO YADAV @ NAGESHWAR PRASAD S/O LATE DEODHARI YADAV Resident of Village- Theki, P.S.- Fatehpur, District- Gaya.
2. BRAHAMDEO YADAV @ BRAHMDEO KUMAR S/O RUPAN YADAV Resident of Village- Theki, P.S.- Fatehpur, District- Gaya.
3. UMESH YADAV @ UMESH PRASAD YADAV S/O RUPAN YADAV Resident of Village- Theki, P.S.- Fatehpur, District- Gaya.
4. AJEET YADAV @ AJIT KUMAR S/O UMESH PRASAD YADAV Resident of Village- Theki, P.S.- Fatehpur, District- Gaya.
5. SUDHIR YADAV @ SUDHIR KUMAR S/O UMESH PARSAD YADAV Resident of Village- Theki, P.S.- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-07-2023 At the outset, learned counsel for the petitioners submits that petitioners no. 2 & 3 namely Brahamdeo Yadav and Umesh Yadav have been arrested and as such, he seeks permission to withdraw this petition, so far as petitioners no. 2 & 3 are concerned.

Accordingly, in respect of petitioners no. 2 & 3, this petition is dismissed as withdrawn.

Heard learned counsel for the petitioners and learned A.P.P. for the State.



The petitioners (i.e. petitioners no. 1, 4 and 5) apprehend their arrest in a case registered for the offence under Sections 147, 148, 149, 447, 448, 452, 323, 337, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted on behalf of petitioners that there is case and counter case. Specific allegation of assault is against other co-accused person(s). So far as these petitioners are concerned, there is general and omnibus allegation. It is further submitted that date of occurrence is 20.12.2021, whereas, F.I.R. has been lodged after a delay of 14 days i.e. on 04.01.2022 and there is no plausible explanation of delay.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, let the above-named **petitioners no. 1, 4 and 5**, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Gaya in connection with Tankuppa P.S. Case No. 02 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.



This anticipatory bail application is, accordingly,
disposed of.

(Prabhat Kumar Singh, J)

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