

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25405 of 2023

Arising Out of PS. Case No.-385 Year-2022 Thana- PARAIYA District- Gaya

1. Santosh Kumar @ Santosh Yadav Son of Sanjay Yadav @ Sanjay Singh Yadav R/O Village- Punakala Tola Lohara, P.S.- Paraiya, District- Gaya
2. Rakesh Kumar @ Rakesh Yadav Son of Sanjay Yadav @ Sanjay Singh Yadav R/O Village- Punakala Tola Lohara, P.S.- Paraiya, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 17-07-2023 At the outset, learned counsel for the petitioners seeks permission to withdraw the bail application with regard to petitioner No. 1 as he has already been arrested.

2. Permission is granted.

3. The anticipatory bail application with regard to petitioner No. 1 is dismissed as withdrawn.

4. Petitioner No. 2 apprehends arrest in a case registered for the offences punishable under Sections 323, 341, 379, 354(B), 452, 504, 506/34 of the Indian Penal Code.

5. Allegation against petitioner No. 2 is that he has taken Rs. 15,000/- cash from the shop of the informant.

6. It is submitted that both parties are co-villagers and



due to petty dispute this false and concocted case has been lodged against the petitioner. There is no allegation of overt act against the petitioner and he has got clean antecedent.

7. Learned counsel for the informant vehemently opposes the bail application.

8. Considering the nature of allegation and clean antecedent of the petitioner, this anticipatory bail is allowed and it is ordered that the above named petitioner in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Gaya in connection with Paraiya P. S. Case No. 385 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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