

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25804 of 2023

Arising Out of PS. Case No.-384 Year-2022 Thana- KHIJARSARAI District- Gaya

1. RAM SWAROOP YADAV @ RAMBHAWAN YADAV @ RAM SWARUP YADAV Son of Late Ram Dhani Yadav Resident of Village - Pachoi, P.S.- Khizarsarai, District - Gaya
2. Vikram Yadav @ Vikram Kumar Son of Madan Yadav @ Mandan Kumar @ Mandan Yadav @ Madan Prasad Resident of Village - Pachoi, P.S.- Khizarsarai, District - Gaya
3. Manish Yadav @ Manish Kumar Son of Ram Swarup Yadav @ Ram Swaroop Yadav @ Rambhawan Yadav Resident of Village - Pachoi, P.S.- Khizarsarai, District - Gaya
4. Vikash Yadav @ Vikash Kumar @ Vikesh Yadav Son of Madan Yadav @ Madan Prasad @ Madan Yadav @ Mandan Kumar Resident of Village - Pachoi, P.S.- Khizarsarai, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan Ms. Manisha Prakash
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh Mr. Shailesh Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 13-07-2023 Heard the parties.

After some arguments, learned counsel for the petitioner seeks permission to withdraw this application as against the petitioner no.3.

Permission is granted.

Accordingly, the instant application as against petitioner no.3 is dismissed as withdrawn.

However, if the petitioner no.3 surrenders before the



learned Court below within six weeks from today and seek regular bail, the learned Court below shall pass the order, on the same day, in accordance with law.

Now, this application is being heard with regard to the petitioner nos.1, 2 and 4 only.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 341, 323, 324, 325, 308, 504, 506, 379 of the Indian Penal Code.

The allegation against the petitioners is that they abused the informant and on protest, they assaulted him by means of several deadly weapons. Petitioner no.2 took golden chain from the informant's neck.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case



as there is general and omnibus allegation against the petitioners, let the above named petitioner nos.1, 2 and 4, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 Khizarsarai P.S. Case No.384 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

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

