

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31025 of 2023

Arising Out of PS. Case No.-308 Year-2022 Thana- GHANSHYAMPUR District- Darbhanga

1. Ganesh Prasad Yadav @ Ganesh Yadav S/o- Ram Lakhan Yadav Village- Supaul Ps- Ghanshyampur Dist- Darbhanga
2. Surya Narain Yadav son of Ram Lakhan Yadav Village- Supaul Ps- Ghanshyampur Dist- Darbhanga
3. Phul Babu Yadav @ ram Pravesh yadav son of Mauza Yadav Village- Supaul Ps- Ghanshyampur Dist- Darbhanga
4. Anish Kumar son of Surya Narain Yadav Village- Supaul Ps- Ghanshyampur Dist- Darbhanga
5. Saurav Kumar Yadav @ Saurav Kumar son of Phul Babu yadav @ Ram Pravesh Yadav Village- Supaul Ps- Ghanshyampur Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate
For the Opposite Party/s : Mr. Arun Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-08-2023 At the outset, learned counsel for the petitioners submits that the anticipatory bail application with respect to petitioner Nos. 1 and 3 has already been dismissed as withdrawn *vide* order dated 21.07.2023.

2. Heard learned counsel for the petitioners and the State.

3 . Petitioner Nos. 2, 4 and 5 apprehend arrest in a case registered for the offences punishable under Sections 448, 341, 323, 324, 308, 354, 380, 382, 427, 504, 506/34 of the



Indian Penal Code.

4. Prosecution case, in brief, is that on 13.11.2022 at about 10:00 a.m., when the informant was at his home, all the accused persons, including these petitioners, armed with weapons, came at the informant's house and assaulted him and his family members. It is further alleged that the accused persons looted ornaments worth Rs. 30,000/- from the informant's houses and destroyed his motorcycle and asbestos.

5. It is submitted on behalf of the petitioners that specific accusation of assault is against co-accused Ganesh Prasad Yadav and Kamlesh Kumar Yadav. There is no allegation of specific overt act against these petitioners and so far rest of the allegations are concerned, they are ornamental and superficial addition only to make the case grave. Case and counter case.

6. Considering the aforesaid facts and circumstances of the case, this anticipatory bail is allowed and it is ordered that let the above named petitioner Nos. 2, 4 and 5 in the event of their 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) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate,



1st Class, Biraul, Darbhanga in connection with Ghanshyampur
P. S. Case No. 308 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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