

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46340 of 2023

Arising Out of PS. Case No.-159 Year-2023 Thana- BODHGAYA District- Gaya

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1. VINAY KUMAR YADAV @ GUDDU S/O VINESH YADAV R/O Village- Pachhatti, P.S- Bodhgaya, Distt.- Gaya.
 2. Harsh Sharma S/o Vikram Sharma R/O Village- Pachhatti, P.S- Bodhgaya, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Rajpati, Advocate.

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 06-09-2023 Heard Mr. Pramod Rajpati, learned counsel appearing on behalf of the petitioners and Mr. Pramod Kumar Pandey, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Bodhgaya P.S. Case No. 159 of 2023 registered for the offence punishable under Sections 341, 323, 379, 307 and 427/34 of the Indian Penal Code.

3. Prosecution story, in brief, is that while the informant was playing snooker in *down town* restaurant, the accuse persons including the petitioners assaulted the informant. When informant's brother came in his rescue, the accused



persons also assaulted him by iron rod and butt of pistol and snatched Rs.2000/- and a golden chain from him.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and have falsely been implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus. The injuries sustained by the victim are simple in nature. The petitioners have clean antecedent. Similarly situated co-accused namely Rahul Kumar, Akash Yadav, Gautam Kumar and Sheoshankar Kumar have been released on anticipatory bail by a co-ordinate Bench of this Court vide order dated 03.08.2023 passed in Cr. Misc. No. 39680 of 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioners.

6. Considering the nature of allegation made against the petitioners, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond 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 Bodhgaya P.S. Case No. 159 of 2023, subject to



the condition as laid down under Section 438(2) of the Cr.P.C.

7. The court below is directed to verify the criminal antecedent of the petitioners and if it is found that the petitioners are involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.

(Purnendu Singh, J)

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