

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 52184 of 2023

Arising Out of PS. Case No.-203 Year-2020 Thana- GAYA MUFASIL District- Gaya

1. Kundan Yadav Son of Brijnandan Yadav
2. Sunil Yadav Son of Vijay Yadav
Both Resident of Village - Nauranga PS -Moffasil District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manisha Prakash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2023 Heard learned counsel for the parties.

2. The petitioners seek pre-arrest bail in connection with Muffasil P.S.Case No.203/2020, registered for the offences punishable under Sections 341, 323, 504, 506, 447, 307, 354 & 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution story, in brief, is that the co-accused Golden Yadav gave sword blow on the head of the informant, as a result, the informant fell down and on *hulla*, when her son came to save her, the accused persons assaulted with sword and the *butt* portion of the Pistol, due to which he fell down. Co-accused Golden Yadav also tried to outrage the modesty of the informant and her daughter-in-law. The accused persons



snatched their golden chain and dragged them on the earth.

4. Learned counsel appearing on behalf of the petitioners submitted that the specific allegation of assault is against co-accused Golden Yadav and the petitioners can only be held to be member of the mob. Both the petitioners have criminal antecedent of one case, which is pending in the court below.

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

6. Having considered the rival submissions of the parties, the petitioners 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 CJM, Gaya in connection with Muffasil P.S.Case No.203 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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