

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54740 of 2023

Arising Out of PS. Case No.-169 Year-2023 Thana- TEKARI District- Gaya

-
-
1. Rajaram Yadav Son of Late Butai Yadav Resident of Village - Chainpura, P.S. - Tikari (Panchanpur O.P.), Distt. - Gaya
 2. Raju Kumar Son of Rajaram Yadav Resident of Village - Chainpura, P.S. - Tikari (Panchanpur O.P.), Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-08-2023 Heard Mr. Ajay Kumar Sinha, learned counsel appearing on behalf of the petitioners and Mr. Nagendra Prasad, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Tekari P.S. Case No. 169 of 2023 registered under Sections 341, 323, 379, 307, 504 and 34 of the Indian Penal Code.

3. The prosecution story, in brief, is that the petitioners and other co-accused has assaulted the informant and his family members.

4. Learned counsel appearing on behalf of the petitioners submits that the allegation made in the F.I.R is not

sustainable. The alleged incident took place on 18.02.2023 and in a well planned manner after nearly one month, F.I.R. was lodged on 11.03.2023, the police station is only 6 kms away from the place of occurrence. Learned counsel further submits that petitioners have clean antecedent and they have falsely been implicated in the present case.

5. Learned APP appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the nature of allegation as well as the fact that police station is only 6 kms from the place of occurrence. The incident took place on 18.02.2023 and the F.I.R. was lodged after much delay of nearly one month on 11.03.2023. Petitioners have clean antecedent, I am of the opinion that the petitioners have made out a, *prima facie*, case to be released on anticipatory bail.

7. Court below is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned 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 A.C.J.M.-VI, Gaya in connection with Tekari P.S. Case

No. 169 of 2023, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Manish/-
Minu/-

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