

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55390 of 2023

Arising Out of PS. Case No.-407 Year-2022 Thana- BODHGAYA District- Gaya

1. Raju Yadav @ Raj Kumar @ Raju Kumar @ Munna Yadav @ Munnu Yadav son of Naresh Yadav Village- Parewa P.S.- Bodh Gaya Dist- Gaya
2. Sambhu Yadav @ Shambhu Yadav son of Naresh Yadav Village- Parewa P.S.- Bodh Gaya Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 20-09-2023 Heard Mr. Aryan Singh, learned counsel appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bodh Gaya P.S. Case No. 407 of 2022, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 337, 307, 427, 448, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, the petitioners and other FIR named accused persons as well as 10-15 unknown persons armed with weapons came to the house of the informant and started abusing and pelting stones. The accused persons also resorted firing. It is



further alleged that on account of the assault made by the accused persons, the uncle of the informant has sustained head injury.

4. Learned counsel appearing on behalf of the petitioners submits that from the FIR it is evident that the son of the informant was firstly assaulted on 11.07.2022 for which no FIR has been instituted, however, on 13.07.2022 when the informant went to the house of the accused persons to make complaint about the previous incident, the said occurrence has taken place. He further submits that admittedly no injury has sustained either to the informant or his son, however, so far the injuries sustained to the uncle of the informant is concerned, the same has not been placed on record by the I.O. He next submitted that the petitioners are men of fair antecedent and on account of some trifle, this occurrence has taken place, moreover, the petitioners undertake that they will fully co-operate in the investigation or in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation coupled with the fair antecedent and the undertaking



that they will fully co-operate in the investigation or in the proceeding of the Court, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Gaya in connection with Bodh Gaya P.S. Case No. 407 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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