

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64128 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- BUNIYAD GANJ District- Gaya

1. ISHWAR YADAV @ ISHWAR KUMAR S/O KAMESHWARYADAV R/O VILLAGE- KUKIYASIN, P.S- BUNIYADGANJ, DISTT.- GAYA, BIHAR.
2. PRINCE KUMAR S/O BILLU YADAV R/O VILLAGE- KUKIYASIN, P.S- BUNIYADGANJ, DISTT.- GAYA, BIHAR.
3. GUDDU YADAV @ GUDDU KUMAR S/O BINDI YADAV R/O VILLAGE- KUKIYASIN, P.S- BUNIYADGANJ, DISTT.- GAYA, BIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhav Kumar, Advocate.

For the Opposite Party/s : Mr. Ashok Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Buniyadganj P.S. Case No. 60 of 2022 dated 10.3.2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 385, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the First Information Report, all the FIR named accused persons including the petitioners assaulted the brother of the informant and his associate by means of *lathi*, *danda* and rod, apart from demand of extortion money.



4. Learned counsel for the petitioners submits that the allegation against the petitioners is general and omnibus in nature. The specific allegation of demand of ransom on the point of pistol is attributed to co-accused Munna Kumar. He further submits that so far the injuries sustained to one Devendra Kumar is concerned, his injuries are found to be simple in nature. Though two of the injuries sustained to the brother of the informant are found to be grievous in nature, but those do not specifically attributed to anyone. He further drew the attention of this Court to the FIR and with reference thereto, submits that admittedly the FIR was instituted on 10.03.2022 but the same has been received in the Court of learned A.C.J.M. on 15.03.2022 and, as such, the interpolation and afterthought cannot be ruled out. He next submits that the petitioners are having clean antecedents and similarly situated co-accused persons have been granted anticipatory bail by a Bench of this Court in Cr. Misc. No. 56281 of 2023..

5. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that similarly situated co-accused persons have been granted anticipatory bail by a Bench of this Court, let the above named petitioners, be released on 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Gaya in connection with Buniyadganj P.S. Case No. 60 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C., with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Anil Kumar Sinha, J)

S.Ali/-

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

