

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59617 of 2022

Arising Out of PS. Case No.-684 Year-2021 Thana- AKBARPUR District- Nawada

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1. SULENDRA YADAV @ SURENDRA PRASAD YADAV Son of Sahdeo Yadav Resident of Village- Umraw Bigha P.S.- Akbarpur, District- Nawada
 2. PAPPU YADAV Son of Sahdeo Yadav Resident of Village- Umraw Bigha P.S.- Akbarpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Akbarpur P.S. Case No. 684 of 2021 for the offence registered under Sections 341, 323, 336, 308, 354B, 448, 504 and 506 of the Indian Penal Code.

As per the prosecution story, the allegation in the FIR is that one Ram Pravesh Kumar (son of petitioner no. 1) entered the house of the informant's wife and tried to outrage her modesty and when she raised alarm, he pushed the family inmates of the informant and escaped. Further, when this was narrated to his family members, allegation is that they came



armed variously and assaulted the informant's side and again specific allegation is against Ram Pravesh Kumar of causing injury on the head of the informant making him unconscious. Accordingly, the FIR was lodged.

Learned counsel for the petitioners submit that the main allegation is against Ram Pravesh Kumar. Regarding others, omnibus allegation is there, further they do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail but concedes that so far as these petitioners are concerned, allegation is omnibus in nature.

Considering the aforesaid facts as also that they do not have criminal antecedent and specific allegation is against Ram Pravesh Kumar, this Court is inclined to extend them privilege of anticipatory bail with conditions.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of C.J.M, Nawada in connection with Akbarpur P.S. Case No. 684 of 2021 subject to condition as laid down under Section 438(2) of the



Cr.P.C with further conditions:-

(i) one of the bailor should be the family member of the petitioners, who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial court itself;

(iii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(iv) the petitioners shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of their bail bonds;

(v) the petitioners shall co-operate in the investigation and made themselves available to the police as and when required.

(Rajiv Roy, J)

Jagdish/Neha/-

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