

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62671 of 2023

Arising Out of PS. Case No.-48 Year-2023 Thana- GOGRI District- Khagaria

1. Satrugghan Yadav @ Satrugghan Kumar son of Late Kokal yadav Village- Shergadh Ps- Gogri Dist- Khagaria
2. Malik Yadav son of Late Kokal Yadav Village- Shergadh Ps- Gogri Dist- Khagaria
3. Kedar Yadav son of Kamodi Yadav Village- Shergadh Ps- Gogri Dist- Khagaria
4. Bijo Yadav son of Kamodi Yadav Village- Shergadh Ps- Gogri Dist- Khagaria
5. Phulkit Yadav son of Kamodi Yadav Village- Shergadh Ps- Gogri Dist- Khagaria
6. Manish Kumar son of Kedar Kumar @ Kedar Yadav Village- Shergadh Ps- Gogri Dist- Khagaria
7. Barun Kumar son of Kedar Kumar @ Kedar Yadav Village- Shergadh Ps- Gogri Dist- Khagaria
8. Chhotu Kumar son of Kedar Kumar @ Kedar Yadav Village- Shergadh Ps- Gogri Dist- Khagaria
9. Shambhu Yadav son of Bijo Yadav Village- Shergadh Ps- Gogri Dist- Khagaria
10. Aryan Kumar son of Arun yadav Village- Shergadh Ps- Gogri Dist- Khagaria
11. Arun Kumar son of Kamodi Yadav Village- Shergadh Ps- Gogri Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Choudhary

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-10-2023

1. At the outset, learned counsel for the petitioners submits that during pendency of this application, petitioner no.

1. namely, Satrugghan Yadav @ Satrugghan Kumar has been



arrested and hence he seeks permission to withdraw this application with regard to petitioner no.1.

2. Permission is accorded.

3. Accordingly, this application is dismissed as withdrawn with regard to petitioner no. 1. namely, Satrugan Yadav @ Satrugan Kumar.

4. Heard the learned counsel for the parties.

5. Petitioner Nos. 2 to 11 apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code.

6. Prosecution story, in a nut shell, is that on 04.02.2023 at about 4:00PM, the son of the informant was going towards Jamalpur market for buying fertilizer and was having Rs. 15,000/- cash. In the meantime, all the accused persons including these petitioners armed with weapons assaulted him and snatched his money. It is further alleged that petitioner no. 11 namely Arun Kumar assaulted him with the butt of pistol and petitioner no. 3 namely Kedar Yadav fired from his pistol and the bullet hit the finger of the informant's son.

7. It is submitted by the learned counsel for the petitioners that due to petty dispute between the parties an altercation took place in which both sides sustained injuries.



Case and counter case. Injuries are simple in nature. Petitioners have got clean antecedent.

8. Learned APP for the State has vehemently opposed the prayer for bail and has submitted that there is specific allegation that petitioner no. 3 namely Kedar Yadav caused fire arms injury to the son of the informant.

9. Considering the nature of accusation against petitioner no. 3, the prayer for bail is rejected with regard to petitioner no. 3. namely, Kedar Yadav.

10. So far as petitioner nos. 2, 4, 5 to 11 are concerned, this anticipatory bail is allowed and it is ordered that let the above named petitioner nos. 2, 4, 5 to 11 in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Gogri P. S. Case No. 47 of 2023, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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