

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42946 of 2024

Arising Out of PS. Case No.-8 Year-2024 Thana- GWALPARA District- Madhepura

1. Sanoj Yadav @ Sanoj Kumar Yadav Son Of Nageshwar Yadav Resident Of Vill- Sukhasan, Ward No.- 10, P.S- Gwalpura, District- Madhepura.
2. Gautam Kumar Son Of Sanoj Yadav @ Sanoj Kumar Yadav Resident Of Vill- Sukhasan, Ward No.- 10, P.S- Gwalpura, District- Madhepura.
3. Nageshwar Yadav Son Of Late Kamleshwari Yadav Resident Of Vill- Sukhasan, Ward No.- 10, P.S- Gwalpura, District- Madhepura.
4. Manoj Yadav Son Of Nageshwar Yadav Resident Of Vill- Sukhasan, Ward No.- 10, P.S- Gwalpura, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 04-09-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 325, 379, 385, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner No. 1 demanded Rs. 50,000/- as ransom from informant and on refusal, these petitioners assaulted him. It is further alleged that petitioner No. 4 assaulted informant with rod causing fracture on his left leg



and thereafter, petitioner No. 3 snatched silver chain from the neck of informant.

4. Learned counsel appearing for the petitioners submits that specific accusation of assault is against petitioner No. 4. So far rest of the petitioners are concerned, there is no allegation of specific overt act against them. F.I.R. has been lodged after inordinate delay of five days and there is no explanation for the same which itself creates doubt over veracity of the prosecution case. Petitioners claim clean antecedent.

5. Learned counsel for the State opposed the bail application and submits that petitioner No. 4 assaulted informant with rod as a result of which his left leg got fractured.

6. In view of the fact that petitioner No. 4 caused fracture injury, **prayer for anticipatory bail of petitioner No. 4 is refused.** However, considering the nature of accusation against petitioner Nos. 1, 2 & 3, the **anticipatory bail with regard to petitioner Nos. 1, 2 & 3 is allowed** and it is ordered that the above named petitioner Nos. 1, 2 & 3 in the event of their arrest/surrender before the court below within a period of eight 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 Judicial Magistrate,



1st Class, Udakishunganj, Madhepura in connection with
Gwalpara P. S. Case No. 8 of 2024, subject to condition as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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