

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46163 of 2024

Arising Out of PS. Case No.-169 Year-2024 Thana- RAJAON District- Banka

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1. Chhotu Yadav @ Chhhattu Kumar Yadav @ Chhattu Kumar Yadav S/o Late Katki Yadav R/o vill - Malti, P.S. - Rajoun, Distt. - Banka
 2. Sanjay Kumar @ Sanjay Yadav S/o Suresh Yadav @ Suresh Prasad Yadav R/o vill - Malti, P.S. - Rajoun, Distt. - Banka
 3. Bipin Yadav @ Wipin Yadav S/o Arjun Yadav R/o vill - Malti, P.S. - Rajoun, Distt. - Banka
 4. Sanjay Kumar Sajan @ Sanjay Yadav S/o Rajendra Yadav R/o vill - Malti, P.S. - Rajoun, Distt. - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Balram Kapri , Advocate
For the Opposite Party/s : Mr. Murli Dhar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 06-08-2024 Heard learned counsel for the petitioners and the

State .

2. Petitioners apprehend their arrest in a case registered for the offence punishable under sections 341 , 323 , 379, 504, 506 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3 . As per the prosecution case, on 25.03.2024, on the eve of *Holi*, informant along with his associates had gone to the



village, and while returning, they reached near the house of *Birendra Prasad Yadav*, meanwhile these petitioners along with other co-accused persons and five unknown persons, all of sudden assaulted the associate of the informant, namely, *Dipak Kumar Choudhary*. It is further alleged that the accused persons also snatched the gold chain from the neck of the *Dipak Kumar Choudhary*, and co-accused *Awdesh Yadav* took out a pistol from his waist and fired at him, which passed beside him.

4. It is submitted on behalf of the petitioners that they have falsely been implicated in this case due to political rivalry . Though there is allegation of firing but no one sustained fire arm injury . It is a case of simple hurt. No specific allegation of assault is against these petitioners. Petitioners claim clean antecedent.

5. Learned counsel for the State oppose the bail petition.

6 Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, 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 the learned Chief Judicial Magistrate , Banka in connection



with Rajoun P.S. Case No. 169 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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