

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51227 of 2024

Arising Out of PS. Case No.-1150 Year-2023 Thana- GAYA MUFASIL District- Gaya

1. Tarun Yadav Son of Birendra Yadav Resident of Village - Sanaut (Sonaut), P.S.- Muffasil, District - Gaya.
2. Sarwan Yadav @ Sarwan Kumar @ Srawan Kumar Son of Dinesh Yadav Resident of Village - Sanaut (Sonaut), P.S.- Muffasil, District - Gaya.
3. Birendra Yadav Son of Late Moti Yadav Resident of Village - Sanaut (Sonaut), P.S.- Muffasil, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.
For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 20-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Muffasil P.S. Case No. 1150 of 2023 registered for the offences punishable under Sections 341, 323, 307, 379 and 504/34 of the Indian Penal Code.

3. As per prosecution case, while the Informant was returning with his *toto* vehicle, he was accosted with the co-accused persons including the petitioners and assaulted him by means of pistol, knife, iron rod and snatched Rs. 10,000/- from him and fled away.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. There is a case and counter case between the parties and the present case is the counter blast case of Gaya Muffasil P.S. Case No. 1159 of 2023 filed by one Dulariya Devi, wife of the cousin of the petitioner no.1. He further submits that there is no direct or specific allegation of any overt act against the petitioners rather the same is general and omnibus in nature. The Informant has not received any injury at the hands of the petitioners. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

5. Learned counsel for the petitioner further submits that the co-accused Suraj Kumar has been granted regular bail by this Court vide order dated 30.08.2024 passed in Cr. Misc. No. 56637 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioners as also the petitioners having



no criminal antecedent, let the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Muffasil P.S. Case No. 1150 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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