

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55098 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- TANKUPPA District- Gaya

1. Akhilesh Yadav @ Akhilesh Kumar Son of Suresh Prasad
2. Mithlesh Yadav Son of Sarju Yadav
Both R/O Vill.- Khabhra, P.S.- Tankuppa, Dist.- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 20-08-2024

1. Heard learned counsel for the petitioners as well

as learned APP for the State.

2. The petitioners seek bail in anticipation of their

arrest in a case registered for the offences punishable under Sections 147, 149, 341, 504, 384, 386, 379, 323, 506 of the IPC in connection with Tankuppa P.S. Case No.05 of 2024.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and the informant alleges that he owns and possesses a piece of land in the name of his mother and the land is in his cultivating possession for the last 45 years, further on 16-1-2024, at 9 a.m., he had gone to plough the field, when accused persons including the petitioners came variously armed and Randhir and Suresh threatened with gun, while Mukesh put garasa on his neck and threatened to cut



the neck if he does not leave the land, further, Mukesh assaulted him by butt of gun on his back and he fell and thereafter the accused demanded one bigha of land by way of extortion, further, Suresh and Mukesh snatched his watch and Rs. 5,000/-.

4. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that date of occurrence is 16-1-2024 and the FIR came to be instituted on 24-1-2024, i.e., after a delay of eight days, which casts an aspersion on the case of the prosecution. It is next submitted that from perusal of the allegation as alleged in the FIR, it would manifest that more specific allegation is alleged against the petitioners and similarly situated co-accused Arvind Yadav along with three others has moved this Court seeking anticipatory bail by filing Cr. Misc. No.56237 of 2024 and the same was allowed by an order dated 14.08.2024. It is further submitted that case of the petitioners is on a much better footing.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks, are directed to be released on anticipatory bail on their furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Gaya in connection with Tankuppa P.S. Case No.05 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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