

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63493 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- KHIJARSARAI District- Gaya

1. Manoj Yadav @ Manoj Kumar Son of Late Mahavir Yadav Resident of Village - Maharaj Bigha, P.S.- Khizersarai, District - Gaya
2. Kamlesh Yadav Son of Chanarik Yadav @ Chandrika Yadav Resident of Village - Maharaj Bigha, P.S.- Khizersarai, District - Gaya
3. Sanjay Yadav @ Sanjay Prasad Yadav Son of Brijmohan Yadav @ Bishu Yadav Resident of Village - Maharaj Bigha, P.S.- Khizersarai, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 66026 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- KHIJARSARAI District- Gaya

Amrendra Kumar @ Mrityunjay Kumar Nilam @ Mirtyunjay Yadav @
Mrityunjay Kumar S/o- Sunil Kumar Nilam Village - Maharaj Bigha , P.S.-
Khizersarai, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 63493 of 2024)

For the Petitioner/s : Mr.Durgesh Nandan, Adv.

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

(In CRIMINAL MISCELLANEOUS No. 66026 of 2024)

For the Petitioner/s : Mr.Durgesh Nandan, Adv.

For the Opposite Party/s : Mr.Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-10-2024 As both the bail petitions have arisen out of the same

P.S. case, hence the prayer for bail made by the petitioners is

being disposed of by a common order.

2. Heard Mr. Durgesh Nandan, learned counsel for the



petitioners and Mr. Anuj Kumar Shrivastava and Mr. Umesh Lal Verma, learned APPs for the State.

3. The petitioners apprehend their arrest in connection with Khizersarai P.S. Case No. 370/ 2023 dated 21.09.2023 registered for the offence(s) punishable under Section(s) 147, 148, 323, 427, 379, 354 and 307 of the Indian Penal Code.

4. The main submissions advanced by learned counsel for the petitioners are that the instant case is counter blast of Khizersarai P.S. case No. 372 of 2023 which has been lodged from petitioners' side for the offences punishable under section(s) 341, 323, 325, 307, 379, 504 read with section 34 of the IPC in which Vikky Kumar from petitioners' side was severely injured and sustained head injury and thereafter in retaliation the present case was lodged and further, the instant matter relates to simple *Mar-pit* and the informant is said to have sustained four simple injuries which are pain and swelling. It is further submitted that all the petitioners have fair and clean antecedent and altogether nine persons including the petitioners and 50 unknown persons have been shown as being involved in the commission of alleged occurrence but no specific role of any of the petitioners in committing the occurrence has been assigned.



5. Learned APPs appearing for the State have opposed the bail prayer of the petitioners.

6. Considering the facts and circumstances of this case as well as the above submissions and the nature of allegation appearing against the petitioners coupled with the fair and clean antecedent of the petitioners as well as the fact that there is no specific allegation against any of the petitioners and several persons are alleged to have remained involved in the alleged occurrence, in my opinion it is fit case for grant of anticipatory bail to the petitioners. Accordingly, let the petitioners, named above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Khizersarai P.S. Case No. 370/ 2023 on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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