

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78013 of 2023

Arising Out of PS. Case No.-283 Year-2023 Thana- BAHERA District- Darbhanga

Prabhat Kumar @ Prabhat Yadav, male, aged about 36 years, Son of Braj Kishore Yadav, Resident of Village - Radhiyam, P.S.- Bahera, District - Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate.

For the Opposite Party/s : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 15-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Bahera P.S Case No. 283 of 2023 dated 06.07.2023 registered for the offence punishable u/ss 143, 341, 323, 308, 353, 385, 387, 379 and 504 of the Indian Penal Code.

4. As per the prosecution case, the accused persons along with the petitioner demanded extortion from



the informant and had stolen soil, iron, and other building materials from the work site. The informant is the Managing Director of the construction company, namely, Koshi Infratech Private Limited and in course of the same, the petitioner and the co-accused persons had assaulted the informant.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that there is generous and omnibus allegation against the petitioner. Learned counsel has further submitted that the injury sustained by the informant is simple in nature. The co-accused persons have already granted anticipatory bail by the Coordinate Bench of this court vide order dated 29.11.2023 passed in Cr. Misc No. 75611 of 2023. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six



weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Benipur, Darbhanga in connection with Bahera P.S Case No. 283 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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