

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81463 of 2023

Arising Out of PS. Case No.-299 Year-2022 Thana- TEKARI District- Gaya

1. BIRENDRA YADAV @ VIRENDRA YADAV @ BIRENDRA KUMAR
S/O BIHARI YADAV VILLAGE- GOPALPUR, PS. TEKARI, DIST. GAYA
2. RAM PRAVESH YADAV S/O LATE JETHAN YADAV VILLAGE-
GOPALPUR, PS. TEKARI, DIST. GAYA
3. RANJEET KUMAR S/O RAMPRAVESH YADAV VILLAGE-
GOPALPUR, PS. TEKARI, DIST. GAYA
4. RAJESH YADAV S/O LATE JETHAN YADAV VILLAGE- GOPALPUR,
PS. TEKARI, DIST. GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Murad Ashraf, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 07-03-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Tekari P.S. Case No. 299 of 2022 dated 27.05.2022
instituted for the offence punishable under Sections 447, 448,
341, 323, 354, 308, 504, 506, 34 of the IPC.

3. As per prosecution case, FIR named accused persons
along with ten other unknown accused persons armed with
weapons entered into the house of informant and assaulted her.
They also tried to outrage her modesty and when she raised
alarm, her cousin brothers came for her rescue who were also
assaulted by the accused persons, due to which, they sustained



injuries.

4. Learned counsel for the petitioners submits that petitioners are innocent and they have been falsely implicated in this case. There is case and counter case between the parties and the present case bearing Tekari PS Case No. 299/2022 dated 27.05.2022 is a counter blast of Takari PS Case No. 298/2022 dated 27.05.2022. It is further submitted that prior to the present case, Tekari PS Case No. 231/22 dated 28.04.2022 was registered under Sections 363/366(A) of the IPC against one Chitranjan Kumar son of Ganauri Yadav and Ganauri Yadav is accused no.1 in Tekari PS Case No. 298/2022 lodged by petitioner no.2. It is next submitted that the informant wanted to pressurize petitioner no.2 and his family members to withdraw Takari PS Case No. 231/2022 for which an altercation took place between both the parties. It is further submitted that there is no specific allegation against the petitioners rather the said allegation is general and omnibus in nature. Lastly, it is submitted that petitioner no.1 has one criminal antecedent while petitioner no.2 to 4 has got no criminal case against them.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the



case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Tekari P.S. Case No. 299 of 2022, they will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Gaya subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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