

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82811 of 2024

Arising Out of PS. Case No.-230 Year-2015 Thana- BIHTA District- Patna

1. Santosh Yadav @ Santosh Kumar Singh @ Santosh Kumar, Son of Nirmal Kumar Singh @ Nirmal Yadav, R/o Village- Baghautpur, P.S.- Arrah, District -Bhojpur Arrah, Bihar 862301
2. Dilip Kumar, Son of Nirmal Kumar Singh @ Nirmal Yadav, R/o Village- Baghautpur, P.S.- Arrah, District -Bhojpur Arrah, Bihar 862301
3. Hare Krishna Yadav @ Hare Krishna Singh, Son of Liladhar Singh, R/o Village- Baghautpur, P.S.- Arrah, District -Bhojpur Arrah, Bihar 862301
4. Shiv Bachan Yadav @ Shiv Bachan Singh, Son of Yamuna Singh, R/o Village- Baghautpur, P.S.- Arrah, District -Bhojpur Arrah, Bihar 862301
5. Rajesh Yadav @ Rajesh Singh @ Rajesh Kumar, Son of Lila Dhar Yadav, R/o Village- Baghautpur, P.S.- Arrah, District -Bhojpur Arrah, Bihar 862301

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Amit Kumar, Advocate Mr. Sudhir Kumar, Advocate Mr. Shashank Kumar Singh, Advocate Mr. Binay Kumar, Advocate
For the Opposite Party/s	:	Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 10-12-2024 Heard learned counsel for the petitioners and Mr. Sanjay Kumar Pandey, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bihta P.S. Case No.230 of 2015 instituted for the offence under Sections 147, 149, 341, 323, 448 and 380 of the Indian Penal Code.

3. The case of the prosecution is that the elder brother-



in-law of the informant in connivance with the miscreants of Bhojpur entered in the house of the informant, took jewellery worth Rs. 20,000/- and assaulted the father-in-law of the informant. These petitioners have been named in the last part of the F.I.R.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have falsely been implicated in this case. It is further submitted that from perusal of the F.I.R. itself, it is clear that there is no allegation of any specific overt act on any of the petitioner. It has also been submitted that parties have compromised the case and a compromise petition has been filed in the Court of learned C.J.M., Danapur which has been annexed as Annexure-P/2. Petitioners are having no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioners.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest



or surrender in connection with Bihta P.S. Case No. 230 of 2015, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. I Class, Civil Court, Danapur, Patna, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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