

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84237 of 2024

Arising Out of PS. Case No.-148 Year-2024 Thana- BUNIYAD GANJ District- Gaya

1. Ganesh Yadav Son of Bhim Yadav Resident of Village- Kumhar Toli Near Harijan Dharamshala Gaya Road, PS- - Buniyadganj, Distt.- Gaya
2. Sanjay Yadav @ Karu yadav Son of Bhim Yadav Resident of Village- Kumhar Toli Near Harijan Dharamshala Gaya Road, PS- - Buniyadganj, Distt.- Gaya
3. Ajay Yadav @ Mundi Yadav Son of Late Prem Yadav Resident of Village- Kumhar Toli Near Harijan Dharamshala Gaya Road, PS- - Buniyadganj, Distt.- Gaya
4. Rajesh Yadav @ Guzra Son of Bhim Yadav Resident of Village- Kumhar Toli Near Harijan Dharamshala Gaya Road, PS- - Buniyadganj, Distt.- Gaya
5. Sibia Devi @ Shivi Devi Wife of Birendra Yadav Resident of Village- Kumhar Toli Near Harijan Dharamshala Gaya Road, PS- - Buniyadganj, Distt.- Gaya
6. Shanti Devi Son of Late Prem Yadav Resident of Village- Kumhar Toli Near Harijan Dharamshala Gaya Road, PS- - Buniyadganj, Distt.- Gaya

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheikh Arkan Ahmad, Advocate
For the Opposite Party/s	:	Mr. Arun Kumar Singh, APP
For the Informant	:	Mr. Niranjana Parihar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 19-12-2024 At the very outset, learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner no.2, submitting that during pendency of this application petitioner no.2 has been apprehended by the police.
2. Permission is granted.
3. Accordingly, this application is dismissed as withdrawn in respect of petitioner no.2 only.
4. Now, this application survives for petitioner no.1 and 3 to 6.



5. Heard learned counsel for the petitioners and learned APP for the State.

6. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 506/34 of the Indian Penal Code.

7. All the F.I.R. named accused including these petitioners variously armed are said to have informant and his family members by various means.

8. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Both sides have sustained injuries in the aforesaid occurrence. Both sides have filed cases against each other. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

9. Having regard to the facts and circumstances of the case, let the above named petitioner nos.3, 4, 5 and 6, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to



the satisfaction of the learned Court below where the case is pending/successor Court in connection with Buniyadganj P.S. Case No. 148 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

10. Considering the facts and circumstances of case as well as the fact that in para-3 of this application, it is stated that petitioners have no criminal antecedent but learned counsel for the informant has submitted that petitioner no.1 has one criminal antecedent and this fact has not been controverted by learned counsel for the petitioner, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for anticipatory bail of the petitioner no.1 is hereby rejected.

11. However, petitioner no.1 is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

12. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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