

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81760 of 2023

Arising Out of PS. Case No.-192 Year-2020 Thana- TEKARI District- Gaya

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1. PRABHAT KUMAR SON OF KRISHNADEO YADAV R/O VILLAGE-MATAI, PANCHANPUR, P.S.- TEKARI AND DISTRICT- GAYA
 2. RAJESH YADAV SON OF CHANDRADO YADAV R/O VILLAGE-MATAI, PANCHANPUR, P.S.- TEKARI AND DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-01-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 379, 504 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegedly, the petitioners and other co-accused persons, armed with several weapons went to the informant's house and assaulted the informant and his father due to which they sustained injuries.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no



offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. He further submits that the allegation against the petitioner no.1 is to assault the informant by means of iron rod and the allegation against the petitioner no.2 is to assault the father of the informant by means of *lathi*. He further submits that the specific allegation is against the co-accused Raj Kishore to assault the informant by means of *farsa* due to which he sustained grievous injury. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners, 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 Tekari (Panchanpur) P.S. Case No.192 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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