

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81711 of 2023

Arising Out of PS. Case No.-74 Year-2021 Thana- MAIN P.S. District- Gaya

Akhilesh Yadav @ Akhilesh Kumar Son Of Umesh Yadav R/O Village- Basan
Bigha, P.S.- Men, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-01-2024 Heard Mr. Aryan Singh, learned counsel appearing on
behalf of the petitioner and the learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Men P.S. Case No. 74 of 2021, registered for the offence
punishable under Sections 147, 148, 323, 307, 504 and 506 of
the Indian Penal Code.

3. Allegedly, while the informant proceeded to Booth
No. 29, Panchayat Bhawan, for installation of lights and fans, in
the meantime, all the FIR named accused persons, nine in
number, armed with deadly weapons, came there and started
assaulting to the informant and his brother, due to which the
informant sustained head injury.

4. It is submitted on behalf of the petitioner that there
is no specific allegation attributed against the petitioner, rather



omnibus nature of allegation has been levelled against all the accused persons. That apart, the occurrence is alleged to have taken place on 23.09.2021, but, surprisingly the present FIR has been instituted on 06.10.2021, after a delay of 13 days. He further submits that despite the fact that the FIR has instituted on 06.10.2021, the same has been sent to the concerned Court on 22.10.2021, and, as such, the interpolation and deliberation in the FIR cannot be ruled out. He next submits that the alleged injury sustained to the informant is found to be simple in nature, moreover, the petitioner is man of fair antecedent.

5. On the other hand, learned APP for the State vehemently opposes the pre-arrest bail application of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the delay in lodging of the FIR, coupled with the fair antecedent of the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Gaya in



connection with Men P.S. Case No. 74 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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