

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82014 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- KAJRA District- Lakhisarai

1. Rajesh Yadav, aged about 30 years, Male, Son of Damru Yadav.
2. Patal Yadav @ Premjit Kumar, aged about 20 years, Male, Son of Sudhir Yadav.
Both resident of Village- Khaira, P.S.- Kajra, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Kajra P.S. Case No. 43 of 2024 instituted for the offences punishable under Sections 341, 323, 307, 504, 506 and 385/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, accused persons came to the house of the informant and extended threatening by making demand of Rangdari of Rs. 50,000/- on the point of sword.

4. Learned counsel for the petitioners submits that petitioners are innocent have committed no offence and have



falsely been implicated in this case merely on the basis of enmity. He further submits that petitioner no. 1 is the uncle of petitioner no. 2 and both have been implicated maliciously to harass them in the present case. He next submits that on petty issues the entire family members have been made accused in this case. He submits that there is no any injury on the informant or any of the family members of the informant. Petitioners have got clean antecedent as stated in para 3 of the petition.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR and the impugned order of the learned Additional District and Sessions Judge-II, Lakhisarai dated 28.10.2024, it appears that on the basis of written report of the informant Sanjeev Kumar, FIR has been registered under Sections 341, 323, 307, 504, 506 and 385/34 of the Indian Penal Code and Section 27 of the Arms Act. It appears that all Sections and bailable in nature except offence under Sections 307 and 27 Arms Act. It also appears that there is no allegation against the petitioners for the offence punishable under Section 307 of the Indian Penal Code and Section 27 Arms Act. The allegation against firing is upon other co-accused persons. Petitioners have got clean antecedent as stated in para 3 of the petition, so considering the submission of learned counsel for



the parties, let these petitioners above named in the event of their arrest or surrender before the Court below within six weeks from today, 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 Sub-Divisional Judicial Magistrate, Lakhisarai in connection with Kajra P.S. Case No. 43 of 2024, subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Ramesh Chand Malviya, J)

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