

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81996 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- Panchanpur District- Gaya

1. Prabhat Kumar @ Tun Tun Yadav @ Tuntun Kumar S/o- Krishna Yadav @ Krishnadeo Yadav Village- Matai P.S.-Tekari Dist- Gaya
2. Mantu Kumar @ Mantu Yadav S/o- Krishna Yadav @ Krishnadeo Yadav Village- Matai P.S.-Tekari Dist- Gaya
3. Vishal Kumar S/o- Shiv Nath Yadav Village- Matai P.S.-Tekari Dist- Gaya
4. Vivek Kumar @ Bhola Kumar @ HOLA Kumar S/o- Shiv Nath Yadav Village- Matai P.S.-Tekari Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-11-2024 Heard Mr. Aryan Singh, learned counsel for the petitioners and Mr. Umesh Lal Verma, learned APP for the State.

2. As prayed by learned counsel for the petitioners, the petition in respect of the petitioner Nos. 1, 2, and 3 stands dismissed as withdrawn.

3. The instant criminal miscellaneous petition has been pressed only in respect of petitioner No. 4, namely, Vivek Kumar @ Bhola Kumar @ HOLA Kumar.

4. The petitioner No. 4 apprehends his arrest in connection with Panchanpur P.S. Case No. 12 of 2024 dated



16.03.2024 registered for the offences punishable under Sections 147, 148, 149, 325, 326, 307, 379, 385, 504 and 506 of the Indian Penal Code.

5. As per prosecution story, the informant alleged that on 15.03.2024 at about 8:00 A.M, eleven named accused persons including the petitioners armed with pistols and iron-rod reached at the office of 'Today Fashion Sand Ghat' where he works as a clerk and the miscreants abused him and other staffs of his office on account of non-fulfillment of levy demand. It is further alleged that the accused persons also took away the sand challan and company's money (Rs. 1,56,000/-) and on protest, they assaulted him and one staff, namely, Narayan Kumar and also, threatened to kill them in case their demand of levy is not fulfilled.

6. Learned counsel appearing for the petitioner submits that the case of this petitioner is completely identical to two co-accused persons, namely, Shailendra Kumar @ Karu Yadav and Ram Binay Kumar @ Rambinay Kumar @ Pandit Kumar @ Pandit Yadav who have been granted anticipatory bail by this Court and so far as the merit of the allegation is concerned, in the instant matter, only two persons are said to have been sustained injuries but their injuries have been opined



to be simple in nature and the petitioner has fair and clean antecedent and is also a 20 year old person and altogether eleven persons including the petitioner have been named in the FIR.

7. Learned APP appearing for the State has opposed the prayer for bail.

8. Considering the above submissions and mainly taking into account that two similarly situated co-accused persons mentioned-above have already been granted the relief of anticipatory bail considering nature of the allegation as well as the nature of injuries to the injured persons, this Court is also inclined to grant the same relief to the petitioner. Accordingly, let the petitioner, namely, Vivek Kumar @ Bhola Kumar @ Hola Kumar, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Panchanpur P.S. Case No. 12 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

9. The petitioner Nos. 1, 2 and 3 are given a liberty



to surrender before the trial court, if they surrender within four weeks from today then the learned trial court shall decide their regular bail prayer at the earliest according to merit, without being prejudiced with this order but keeping in view the fact that some of the co-accused persons have been considered for anticipatory bail.

(Shailendra Singh, J)

annu/-

U		T	
---	--	---	--

