

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85516 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- BUNIYAD GANJ District- Gaya

Karu Yadav @ Sanjit Kumar, Son of Balgovind Yadav, R/o village-
Kukiyasin, P.S. - Buniyadganj, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Sing, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Buniyadganj P.S. Case No. 60 of 2022 registered for the alleged offences under Sections 147, 148, 149, 341, 323, 385, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the co-accused persons assaulted the brother of the informant with *lathi*, *danda* and rod. The name of the petitioner transpired during investigation for also being involved in the occurrence.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No cogent material has come up against the petitioner for



his involvement in the case. There is general and omnibus allegation against all the accused persons and there is no specific allegation against the petitioner, who has not been named in the FIR. Apparently, specific allegation of brandishing the pistol and demanding extortion is against co-accused Munna Kumar, who has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 31.10.2023 passed in Cr. Misc. No.68084 of 2023. The learned counsel further submits that other co-accused persons have also been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 19.10.2023 passed in Cr. Misc. No.64128 of 2023. The petitioner is having criminal antecedent of three cases, but he is on bail in all the three cases.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is not named in the FIR and further considering the grant of anticipatory bail to the FIR named co-accused persons, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on



furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Gaya, in connection with Buniyadganj P.S. Case No. 60 of 2022, subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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