

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7210 of 2025

Arising Out of PS. Case No.-29 Year-2023 Thana- LAUKAHA District- Madhubani

1. Gajendra Kumar Yadav @ Gajendra Yadav Son of Vishweshwar Yadav Resident of Village - Dharampur, P.S. - Laukaha, District - Madhubani
2. Raja Yadav @ Raju Kumar Yadav Son of Sri Prasad Yadav Resident of Village - Dharampur, P.S. - Laukaha, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti

For the Opposite Party/s : Mr. Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 02-07-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 384, 379, 504, 506 and 34 of the Indian Penal Code and later vide order dated 19.03.2024, Section 395 of IPC was also added.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 is a person with clean antecedent.

4. It is next submitted that initially the FIR was instituted under various sections of the Indian Penal Code,



which carried punishment of seven years and less, but subsequently during the course of investigation, Section 395 IPC was added, but then in the nature of allegation as alleged in the FIR, it would manifest that *prima facie* no offence under Section 395 IPC is made out. It is next submitted that from perusal of the allegation as alleged in the F.I.R., it would manifest that in sum and substance, the informant alleges that goods worth Rs. 1,50,000/- was loaded on an Auto and when the Auto reached Laukahi market when the accused persons including the petitioners intercepted and demanded extortion and thereafter forcibly took away the Auto along with the articles, but later they came and returned the Auto and thereafter made a video of the driver and the Khalasi of the Auto and made them confess that the Auto had dashed a goat. It is submitted that had the petitioners been involved in extortion in that event the Auto would not have been returned.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Laukaha P.S. Case No. 29 of 2023 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. Accordingly, the instant anticipatory bail application is allowed.

(Satyavrat Verma, J)

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