

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11296 of 2025

Arising Out of PS. Case No.-495 Year-2024 Thana- KHAGARIA District- Khagaria

Ratan Yadav @ Ratan Kumar S/o- Shato Yadav @ Sat Narayan Yadav
Village- Govindpur PS-Sahebpur Kamal District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms.Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-03-2025 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Khagaria PS case no. 495 of 2024 dated 15.10.2024, disclosing offences punishable under Sections 126(2) and other allied sections of B.N.S.S. Act.
3. The prosecution story, as per the First Information Report, is that informant is running a hotel (Dhaba) in the name and style of “Maa Bhagwati Dhaba”. It is alleged that on 11.10.2024 at about 10 pm, petitioner along with other accused persons named in the F.I.R. along with 10 unknown persons armed with weapons, arrived at the hotel of the informant and started assaulting the hotel staffs and inquired about owner of the hotel i.e. the informant. The accused persons destroyed the



goods/ articles of the hotel and co-accused Pandav Yadav took away Rs. 50,000/- from the cash counter. Accused persons fired 4-5 bullets on the hotel and co-accused Mahesh Yadav fired upon the staffs. It has further been alleged that incident took place due to non-fulfilment of demand of extortion of Rs. 50,000/-.

4. Learned Counsel for the petitioner submits that petitioner is having no criminal antecedent and he has been made accused in this case due to rivalry between side of the petitioner and informant, inasmuch as a dhaba is being run by petitioner near to the dhaba of the informant. This fact has come during course of investigation and is mentioned in the supervision note of police officer. Learned counsel further submits that the allegation of firing is not specific against the petitioner and the police has also not recovered any used cartridges from the place of occurrence. The specific allegation of firing is upon co-accused Mahesh Yadav and co-accused Pandav Yadav allegedly took away Rs. 50,000/- from the cash counter. He also submits that there is delay of four days in lodging the F.I.R., inasmuch as occurrence took place on 11.10.2024, however F.I.R. has been lodged on 15.10.2024.

5. Regard being had to the submissions made on



behalf of the parties and taking into consideration the fact that petitioner is having no criminal antecedent, the allegation against him is general and omnibus in nature and there is delay of four days in lodging the F.I.R., I am inclined to grant the privilege of anticipatory bail to the petitioner, subject to the condition that petitioner shall not repeat the same offence in the future and shall cooperate the police during course of investigation.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Khagaria PS case no. 495 of 2024, subject to the condition laid down under Section 482 (2) of B.N.S.S. Act

(Anil Kumar Sinha, J)

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