

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13514 of 2025**

Arising Out of PS. Case No.-298 Year-2024 Thana- ATRI District- Gaya

1. Ramvilash Kumar @ Golgappa Yadav Son of Bisheshwar Yadav @ Visheshwar Yadav Resident of Village- Shira Belaru, P.S.- Atri, Distt.- Gaya
2. Sanjay Yadav @ Sanjay Kumar Yadav Son of Bisheshwar Yadav @ Visheshwar Yadav Resident of Village- Shira Belaru, P.S.- Atri, Distt.- Gaya
3. Shankar Yadav @ Shankar Kumar Son of Chandeshwar Yadav Resident of Village- Sukhebigha, P.S.- Atri, Distt.- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shams Alam, Adv.

For the Opposite Party/s : Mr.Brajendra Nath Pandey, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**

ORAL ORDER

2      28-02-2025                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Atri P.S. Case No. 298 of 2024 registered for the alleged offences under Sections 127(1), 127(2), 115(2), 3(5) and 132 of B.N.S. 2023.

03. As per prosecution case, the police received information about smuggling of illicit liquor on a motorcycle and after a while, a person was found coming on a motorcycle carrying a bag. When the said person was stopped and being searched, he started scuffle with the informant, meanwhile 3-4 persons came from Scorpio and started assaulting the informant. Upon seeing the police vehicle, they tried to flee away, but one



of the accused persons, namely Piyush Raj, was apprehended. The apprehended accused disclosed the name of this petitioners.

04. Learned counsel for the petitioner submits that the petitioners are innocent and have been falsely implicated in this case and nothing incriminating has been recovered from the person or possession of the petitioners. The petitioners were named in this case by co-accused Piyush Raj. The petitioners were not riding the motorcycle or driving four wheeler nor were a member of the gang. The petitioners have nothing to do with the alleged vehicles. Learned counsel further submits that co-accused Saurabh @ Saurabh Kumar @ Saurav Kumar has been granted anticipatory bail by this Court vide order dated 21.02.2025 passed in Cr. Misc. No. 9437 of 2025 and co-accused Piyush Raj has been granted regular bail by this Court vide order dated 04.12.2024 passed in Cr. Misc. No. 81763 of 2024. The petitioner nos. 1 and 2 are having antecedent of one case and petitioner no. 3 is having clean antecedent.

05. Learned A.P.P. for the State opposes the submission made on behalf of the learned counsel for the petitioners. Learned A.P.P. submits that the petitioners and other accused persons attacked the police personnel and petitioner nos. 1 and 2 are having antecedent of one case.



06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the remoteness of allegation and considering the fact the nothing incriminating has been recovered from person or possession of the petitioners and possibility of false implication, let the petitioners above named, in the event of their 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. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of Court of learned CJM, Gaya in connection with Atri P.S. Case No. 298 of 2024, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

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

**(Arun Kumar Jha, J)**

Anuradha/-

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