

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25241 of 2025

Arising Out of PS. Case No.-428 Year-2024 Thana- GOGRI District- Khagaria

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1. Sujeet Yadav @ Sujeet Kumar Yadav S/o Jagdambi Yadav R/o Village_
Ratan, P.S.- Gogari, Distt.- Khagaria
 2. Amar Kumar Yadav @ Amar Yadav S/o Jagdambi Yadav R/o Village_
Ratan, P.S.- Gogari, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2025 Heard Mr. Ranjeet Kumar Singh, learned Counsel for
the petitioners and learned APP for the State.

2. The petitioners apprehend their arrest in connection with Gogari P.S. Case No. 428 of 2024, G.R. No. 3698 of 2024 for the offence registered under sections 126(2), 109, 352, 351(2), 191(2)/191(3) of BNS and Section 27 of Arms Act lodged on 30.11.2024 by the informant, Ranveer Yadav.

3. As per the prosecution story, the informant alleged that his brother was coming home after selling milk when the accused persons surrounded him and the allegation against petitioner no. 1 is of opening fire causing injury on the back of his brother. This led to the FIR.

4. Learned Counsel for the petitioners submit that so far



as petitioner no. 2, Amar Kumar Yadav is concerned, he is only member of mob, no further allegation has been attributed to him, though he has criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that while petitioner no. 1 opened fire, the role of petitioner no. 2 cannot be ignored.

6. Considering the submissions as also the allegation that has come against petitioner no. 1 (Sujeet Yadav @Sujeet Kumar Yadav), no case of anticipatory bail is made out, in that background, his prayer is rejected. So far as petitioner no. 2 (Amar Kumar Yadav) is concerned, considering that he has been given the role of member of the mob, opening of fire arm is not attributed to him, in that background, this Court is inclined to grant petitioner no. 2 (Amar Kumar Yadav) the anticipatory bail with conditions.

7. Let the petitioner no. 2 (Amar Kumar Yadav) in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Gogari P.S. Case No. 428 of 2024, G.R. No. 3698 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family members/relatives of the petitioner no. 2 (Amar Kumar Yadav), who shall provide official document to show his *bona fide*;

(ii) the petitioner no. 2 (Amar Kumar Yadav) shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner no. 2 (Amar Kumar Yadav) shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner no. 2 (Amar Kumar Yadav) shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner no. 2 (Amar Kumar Yadav) shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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