

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39947 of 2025**

Arising Out of PS. Case No.-603 Year-2024 Thana- BODHGAYA District- Gaya

1. Sudama Yadav @ Sudama Kumar Yadav, S/o Sadhu Yadav, R/o Village-Pathra, PS- Mohanpur, Distt.- Gaya
2. Papu Yadav @ Deepak Kumar @ Pappu, S/o Sadhu Yadav, R/o Village-Pathra, PS- Mohanpur, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      04-07-2025                      Heard Mr. Sudhir Kumar Sinha, learned counsel for the petitioners and Mr. Rajesh Kumar, learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bodhgaya P.S. Case No. 603 of 2024 instituted for the offence under Sections 115(2), 126(2), 76, 324(4), 324(5), 329(4), 308(2), 308(3), 351(2), 351(3) and 3(5) of Bhartiya Nyay Sanhita.

3. The case of the prosecution is that during the construction of house the accused persons came at the site with 3-4 unknown persons being armed variously and demanded Rs.



5 lakh then they will permit the informant to construct the house. On 18.12.2024, they again arrived at the house and demanded Rs. 5 lakh and on being objected, they damaged the boundary wall and entered into the house of the informant, caused mischief to her house causing loss of Rs. 40,000/- .

4. Learned counsel appearing on behalf of the petitioners has submitted that though according to the F.I.R. there is indulgence of five persons in the occurrence but the name of two persons is there and the nature of allegation is general and omnibus. It has also been submitted by learned counsel for the petitioners that petitioner no. 1 is having criminal antecedent of six cases and in those cases he is on bail whereas petitioner no.2 is having criminal antecedent of one case and he is also on bail in that case.

5. Learned APP appearing for the State has opposed the prayer of bail mainly on the ground that petitioner no. 1 is having criminal antecedent of six cases.

6. Considering the above facts and circumstances of the case, I am not inclined to grant anticipatory bail to the **petitioner No.1, namely, Sudama Yadav @ Sudama Kumar Yadav** and, as such, his application for bail is rejected. However, **petitioner no.2, namely, Papu Yadav @ Deepak Kumar @ Pappu is directed to be enlarged on bail.** Petitioner



no. 2 is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bodhgaya P.S. Case No. 603 of 2024, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Gaya, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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