

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52001 of 2025

Arising Out of PS. Case No.-195 Year-2024 Thana- KHARIK District- Bhagalpur

Prabhu Yadav S/O Late Banarasi Yadav R/O Village- Jamaldipur, Police
Station- Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Shandilya, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 25-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Kharik P.S. Case No. 195 of 2024 instituted for the
offences under Sections 191(2), 191(3), 190, 308(2), 308(5),
303(2), 109, 352 of the Bharatiya Nyaya Sanhita, 2023 and
Section 27 of the Arms Act.

3. Prosecution case, in short, is that a group of armed
accused persons committed loot in multiple shops at Lattipur
Chowk, including that of the informant, and terrorized the area
by firing 20-25 rounds. They also threatened all shopkeepers to
pay extortion money of Rs. 10,000/- each or face arson.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Petitioner is not named in the F.I.R. The name of the petitioner transpired in this case on the basis of confessional statements of co-accused, namely, Sakla Yadav, Amit Rajak @ Bhuskhari, Shivam Kumar @ Shiva Yadav, Ravindra Yadav @ Rabil Yadav. Learned counsel further submitted that none of the witnesses has named the petitioner at any point during the course of investigation. It has been submitted on behalf of the petitioner that the petitioner has two criminal antecedents and out of which, one case has been disposed of on the basis of compromise in the court of Lok Adalat whereas in the other case, petitioner is on anticipatory bail. The co-accused person has already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 02.04.2025 passed in Cr. Misc. No. 12385 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also claim based on parity, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten



thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kharik P.S. Case No. 195 of 2024, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarika Suraksha Sanhita, 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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