

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73676 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- HARPUR District- East Champaran

1. Mukesh Yadav Son of Ramadhar Yadav @ Ramadhar Raut Resident of Village- Chikani, P.S.- Harpur, Distt.- East Champaran, Motihari
2. Bhanu Yadav @ Bhaanu Yadav Son of Late Ram Prasad Yadav Resident of Village- Chikani, P.S.- Harpur, Distt.- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

5 08-04-2025 Heard learned counsel for the
petitioner and learned APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in a case instituted for the offence punishable under Sections 341, 323, 379, 307, 504, 506/34 of the Indian Penal Code.

3. Prosecution case in nutshell is that on the alleged date, petitioners along with other co-accused persons intercepted the informant's minor son, namely, Sandeep



Kumar, with an intention to kidnap him. It is further alleged that co-accused Rakesh Yadav snatched the golden locket and petitioner No. 1 (Mukesh Yadav) snatched two thousand rupees from his possession. Additionally, it is alleged that petitioners along with co-accused persons assaulted him and wrapped towel around his neck due to which he sustained injuries. When passers by intervened, accused persons fled away.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. It is further submitted that matter has been compromised between the parties (a joint compromise petition has been annexed as Annexure 2). From perusal of injury report, it is evident that injury sustained by the injured is simple in nature. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



5. Learned A.P.P. for the State vehemently opposed the prayer of bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from receipt of this order and in the event of their arrest or surrender in connection with Harpur P.S. Case no. 04 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(S. B. Pd. Singh, J)

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