

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81393 of 2024

Arising Out of PS. Case No.-1078 Year-2023 Thana- AGAMKUAN District- Patna

1. Gopal Kumar Son of Umesh Chandra Yadav @ Umesh Rai @ Daroga Rai village- Daburki Gali, Naya Tola, Kumhrar, Ps- Agamkuan, Dist- Patna
2. Gobardhan Kumar @ Amit Kumar Son of Umesh Chandra Yadav @ Umesh Rai @ Daroga Rai village- Daburki Gali, Naya Tola, Kumhrar, Ps- Agamkuan, Dist- Patna
3. Shivdad Kumar @ Shivdat Kumar Son of Umesh Chandra Yadav @ Umesh Rai @ Daroga Rai village- Daburki Gali, Naya Tola, Kumhrar, Ps- Agamkuan, Dist- Patna
4. Sukardhan Kumar @ Sikandar Kumar Son of Umesh Chandra Yadav @ Umesh Rai @ Daroga Rai village- Daburki Gali, Naya Tola, Kumhrar, Ps- Agamkuan, Dist- Patna
5. Aditya Kumar Son of Umesh Chandra Yadav @ Umesh Rai @ Daroga Rai village- Daburki Gali, Naya Tola, Kumhrar, Ps- Agamkuan, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rudal Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-01-2025 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 341, 323, 307, 506/34 of IPC and 27 of Arms Act.

3. As per prosecution case, on 06.11.2023 at about 10:30 AM, when informant went to the plot along with labourers, in the meantime, all the FIR named accused persons including the



petitioners gave pressure to stop the work and when the work was not stopped then all the accused persons armed with sharp weapons, bamboo and katta, assaulted the informant due to which he received injury on his head.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners are not specific rather general and omnibus in nature. It is further submitted that similarly situated co-accused person has been granted anticipatory bail by this Court vide order dated 23.10.2024 passed in Cr. Misc. No. 71173 of 2024. Petitioner no. 3 has no criminal antecedent and petitioner nos. 1, 2, 4 and 5 have two criminal antecedent.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, and the fact that similarly situated co-accused person has been granted bail by this Court, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty



Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Agamkuan P.S. Case No.1078 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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