

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77962 of 2025

Arising Out of PS. Case No.-95 Year-2018 Thana- BALIYA District- Begusarai

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1. Mukesh Yadav @ Mukesh Kumar S/O Damodar Yadav R/O Village- Chhoti Ballia (Chhoti Balia), Akhtiyarpur, P.S- Ballia (Balìa), Distt.- Begusarai.
 2. Munna Yadav @ Vikash Kumar S/O Damodar Yadav R/O Village- Chhoti Ballia (Chhoti Balia), Akhtiyarpur, P.S- Ballia (Balìa), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parwej Khan

For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-11-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Ballia P.S. Case No. 95 of 2018, registered for the offences punishable under Sections 447, 341, 323, 324, 379, 307, 34 of the Indian Penal Code.

3. In the night of the fateful day, while the informant along with her husband and four others were sitting, in the meanwhile, 12 named accused persons, including the petitioners, came there and started demanding ransom and when the same was objected, all the co-accused persons assaulted them by means of *lathi*, *danda* and bricks due to which they sustained serious injury, besides there is allegation of snatching



of valuables.

4. Learned Advocate for the petitioners submitted that admittedly, there is a case and counter case bearing Ballia P.S. Case No. 94 of 2018, which was earlier on point of time, besides the fact other co-accused persons have been allowed the privilege of bail by the court below itself. However, only on account of the fact that the petitioners have approached for anticipatory bail after a long delay, their prayer has been negated. It is further contended that since the petitioners were working outside and, as such, they were not aware of lodging of the FIR and the police has never chased them, hence delay has occurred.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners were all along absconding since 2018, besides the petitioner No. 2 bears two criminal antecedent.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the petitioners were evading their arrest for a long time, this Court is not acceded to the prayer for anticipatory bail to the petitioners. Accordingly, the prayer for anticipatory bail to the petitioners stands rejected.



7. However, if the petitioners surrender before the court below and seek regular bail, preferably within a period of four weeks, their prayer for bail shall be considered without being prejudiced by the order of this Court and taking note of the fact that other co-accused persons have been allowed the bail by the court below itself and the petitioners are not facing specific allegation.

(Harish Kumar, J)

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