

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88137 of 2024

Arising Out of PS. Case No.-270 Year-2022 Thana- GAYA KOTWALI District- Gaya

1. Sajjan yadav S/o Late Sohrai Yadav Village- Kandi Nawada Ps- Chandauti Dist- Gaya
2. Rajan Yadav S/o- Late Sohrai Yadav Village- Kandi Nawada Ps- Chandauti Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 18-01-2025 Heard Learned Counsel for the petitioners and
Learned A.P.P. for the State.

2. The petitioners seek regular bail in connection with S.Tr. No.842 of 2024 (53 of 2024), arising out of Gaya Kotwali P.S. Case No.270 of 2022 lodged under Sections 341, 323, 308, 504, 379/34 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been lodged against one named and two unknown accused persons against whom there is allegation that informant was going from Jehanabad to Gaya, then in the meantime, dispute started relating to clearance of the traffic between the informant and the accused persons due to which injury has been caused to the informant's brother.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners are not named in the F.I.R. and their name have been figured in this case by virtue of confessional statement of co-accused persons after two months of lodging F.I.R.

5. Counsel for the petitioners submits that petitioners are in custody since 07.06.2024 and petitioner No.1 has 5 criminal antecedent and petitioner No.2 has two criminal antecedent, which are cases pending against them and in all cases, they are on bail.

6. Counsel also submits that the other co-accused, who is not named in the F.I.R., has been granted bail by this Court vide order dated 01.10.2024 passed in Cr. Misc. No. 68407/2024.

7. Learned counsel for the State opposes the prayer for bail and submits that at the time of consideration of bail, antecedent of the petitioners may be taken into consideration.

8. In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail, but on being satisfied by the trial court that the petitioners are not absconding in any of the cases which



are pending against them whose details are mentioned below, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Addl. District and Sessions Judge-X, Gaya in connection with S.Tr. No.842 of 2024 (53 of 2024), arising out of Gaya Kotwali P.S. Case No.270 of 2022, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

9. The details of the cases which are pending against petitioner No.1 are as follows:-

- i. Chandauti P.S. Case No.213 of 2016.
- ii. Delha P.S. Case No.223 of 2023.
- iii. Delha P.S. Case No.224 of 2023.
- iv. Kotwali P.S. Case no.510 of 2022.
- v. Kotwali P.S. Case No.99 of 2024.

10. The details of the cases which are pending against petitioner No.2 are as follows:-

- (i) Delha P.S. Case No.49 of 2015.
- (ii) Kotwali P.S. Case No.94 of 2024.

(Dr. Anshuman, J.)

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