

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7101 of 2016

Arising Out of PS.Case No. -282 Year- 2015 Thana -SIMRI BAKHTIARPUR District- SAHARSA
=====

1. Pankaj Yadav S/o Yugeshwar Yadav
2. Devanand Yadav, S/o Yugeshwar Yadav
3. Sanjay Yadav S/o Yugeshwar Yadav
4. Vidyanand Yadav S/o Yugeshwar Yadav
5. Satoo Yadav @ Satya Narayan Yadav, S/o Late Lakshmi Yadav, All residents of Sukhasani, P.S.- Bakhtiyarpur, District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

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

For the Opposite Party/s : Mr. Shailendra Kumar 1 (App)
=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2016 It is submitted that petitioner no.5, Satoo Yadav @ Satya Narayan Yadav has already been arrested, hence application with regard to petitioner no.5 has become infructuous.

Accordingly, the same is disposed of.

The petitioner nos. 1 to 4 are apprehending arrest in a case initially registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act subsequently Section 307 was also added.

The prosecution case is that on 18.07.2015, the

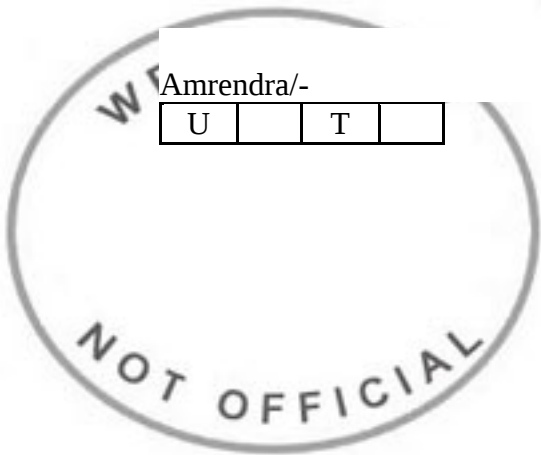
petitioners made indiscriminate firing though no injury was caused to anyone.

It is submitted by learned counsel for the petitioners that for the petty dispute of getting the cow dung, the accusation has been levelled, though, one cartridge was recovered from the place of occurrence but it was not specific that due to whose firing the used cartridge went left on the spot. It is further submitted that petitioner nos. 1 to 4 are accused in other case also but in that case they are on bail.

Considering the fact that no injury was caused to anyone and accusation of firing is omnibus and general, let the above named petitioner nos. 1 to 4 be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Saharsa in connection with Bakhtiyarpur (Kanariya) P.S. Case No. 282 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Learned court below will be at liberty to cancel the bail bonds of the petitioner nos. 1 to 4 if they default for two consecutive occasions or substantially get involved in some

serious nature of offence.



(Dinesh Kumar Singh, J)