

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9780 of 2017

Arising Out of PS.Case No. -14 Year- 2016 Thana -ATRI District- GAYA

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1. Subodh Yadav Son of Rajnandan @ Mohan Yadav
2. Jai Ram Yadav Son of Late Ramswaroop Yadav Both residents of
Village Ghusri, P.S. Atri, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Asgher Najmi

For the Opposite Party/s : Mr. Sri Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 28-03-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Atri Police Station Case No. 14 of 2016, disclosing
offences under Sections 147, 148, 149, 302 of the Indian Penal
Code and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted
that there is general and omnibus allegation against the
petitioners and no specific overt act is attributed to them.
According to the F.I.R., there is allegation of indiscriminate
firing by all the accused persons but the doctor found only one
injury on the person of the deceased, which itself creates doubt
on the prosecution version. No any witnesses have supported the



prosecution version. Hence, the petitioners, who are of clean antecedent, deserve the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya, in connection with Atri Police Station Case No. 14 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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