

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16825 of 2019**

Arising Out of PS. Case No.-561 Year-2018 Thana- SAUR BAZAR District- Saharsa

ANMOL KUMAR YADAV @ ANMOL YADAV Son of Late Ramjee Yadav
Resident of Village- Rupauli, Behenga Tola, P.S.- Gamhariya, District-
Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harendra Kumar

For the Opposite Party/s : Mr.Madan Kumar

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 26-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since 09.10.2018 in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code, Section 27 of the Arms Act and Section 3/4 of the Explosive Substances Act.

The prosecution case got initiated on the basis of written report of A.S.I. Jitendra Chaudhary, I/C Pastapar Camp Police Station submitted before the Station House Officer, Saurbazar Police Station is to the effect that on 07.10.2018 at 8.35 A.M., the informant after having received an information that ex-mukhiya, Md. Zakariya, the present Mukhiya and the



husband of the present Mukhiya Md. Margoob @ Mukesh have called the anti social elements for the purpose of creating disturbance at the village Lahauna, whereupon, the informant along with police party reached at the spot and found that two groups of people were using explosives and firing on each other. Subsequently, from the place of occurrence, the police received used cartridges and explosives. It is further submitted that several persons received injuries in the alleged incident, while one Krishna Kumar Sharma @ Krishna Sharma died due to gun shot injury, leading to registration of FIR against thirteen named and two unknown persons. The petitioner is named in the FIR.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general and in the background of the political rivalry, the accusation took place. It is further submitted that similarly situated co-accused persons have been granted bail by a Co-ordinate Bench of this Court vide order dated 13.02.2019 passed in Criminal Miscellaneous No. 8339 of 2019 and a statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that the petitioner



is named in the FIR and it is a case of mob violence.

Considering the accusation being omnibus and general, similarly situated co-accused have been granted bail by a Co-ordinate Bench of this Court and the investigation being already concluded coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent aforesaid fact, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Saharsa in connection with Saur Bazar P.S. Case No. 561 of 2018.

(Dinesh Kumar Singh, J)

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