

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33524 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- PALIGANJ District- Patna

1. Sunil Yadav Son of Late Anant Yadav Resident of Village - Mahabalipur, P.S.- Paliganj, Dist.- Patna.
2. Anil Yadav @ Anil Kumar Son of Late Anant Yadav Resident of Village - Mahabalipur, P.S.- Paliganj, Dist.- Patna.
3. Raju Yadav @ Raju Kr. Yadav Son of Sri Baliram Yadav Resident of Village - Mahabalipur, P.S.- Paliganj, Dist.- Patna.
4. Karib Yadav @ Ranjeet Kumar @ Ranjeet yadav Son of Sri Baliram Yadav Resident of Village - Mahabalipur, P.S.- Paliganj, Dist.- Patna.
5. Vijay Yadav Son of Sri Surendra Yadav Resident of Village - Mahabalipur, P.S.- Paliganj, Dist.- Patna.
6. Vidya Sagar Son of Sri Shivnath Yadav Resident of Village - Mahmaddpur (Kali Sthan), P.S.- Paliganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kr. Chaudhary
		Mr. Akshansh Ankit
For the Opposite Party/s :		Mr. Ganesh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 07-08-2019 Learned counsel for the petitioners seeks permission to withdraw this bail petition on behalf of the appellant nos. 1 and 2 submitting that they have been arrested during pendency of the bail petition.

Permission is granted.

Accordingly, this bail petition is dismissed as withdrawn against the petitioner nos. 1 and 2.

Heard learned counsel appearing on behalf of



petitioner nos. 3 to 6 and learned APP for the State.

Petitioners apprehend their arrest in connection with Paliganj P.S. Case No. 105 of 2019 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Seven named accused persons including the petitioners and 5-6 unknown miscreants are said to have resorted firing in the village to create rein of terror and established their supremacy. In the occurrence, one Sudhir Kumar was injured. The police seized one empty cartridge, one motorcycle and two mobiles phones at the place of occurrence.

It is submitted by learned counsel appearing on behalf of the petitioner nos. 3 to 6 that the petitioners have no concern with the aforesaid occurrence. They have been falsely implicated in this case due to dirty village politics. Allegation levelled against the petitioners is not specific rather general and omnibus in nature. None has sustained firearm injury in the occurrence. The injury sustained by Sudhir Kumar is simple in nature caused by hard blunt substance. Petitioners have no concern with the seized motorcycle and mobiles. There is case and counter case between the parties.

On the other hand, learned APP opposed the bail



prayer of the petitioners.

In the facts and circumstances of the case, the petitioner nos. 3, 4, 5 and 6 are directed to be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Danapur in connection with Paliganj P.S. Case No. 105 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further condition that petitioners shall not commit such occurrence in future else their bail bond shall stand cancelled.

(Prakash Chandra Jaiswal, J)

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