

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Appeal (SJ) No.2372 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- BARH District- Patna

-
1. Surendra Yadav, Son of Late Brij Yadav,
 2. Bijendra Yadav @ Gore Lal Yadav, Son of Ram Ashish Yadav, Both resident of Village- Mokim, P.S. Barh, District Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

with

Criminal Appeal (SJ) No. 2778 of 2018

Arising Out of PS. Case No.-142 Year-2018 Thana- BARH District- Patna

Baudhi Yadav @ Paudhi Yadav Son of Mahendra Yadav, resident of Village- Mokimpur, P.S. Barh, District Patna.

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

Appearance :

(In Criminal Appeal (SJ) No. 2372 of 2018)

For the Appellant/s : Mr.Ashok Kumar Kashyap

For the Respondent/s : Mr.Binay Krishna

(In Criminal Appeal (SJ) No. 2778 of 2018)

For the Appellant/s : Mr.Ashok Kumar Kashyap

For the Respondent/s : Mr.Sri Sadanand Paswan

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-01-2019 Heard the parties.

Cr. Appeal (SJ) No.2778 of 2018 and Cr. Appeal (S.J.)

No.2372 of 2018 have arisen out of the same P.S.Case Number,
as such both the cases are being disposed of together by a
common order.

The appellants are apprehending their arrest and seek bail



in connection with Barh P.S.Case no.142 of 2018 dated 10.5.2018 , registered for offences punishable under Sections 307, 323, 341, 34 of the Indian Penal Code, Section 27 of the Arms Act and Section 3(i)(r) of S.C./S.T. Prevention of Atrocities Act.

It appears from perusal of the FIR that the allegation against the appellants is that they came for demand of *rangdari* from the informant and made indiscriminate firing and thereafter they came to the house of the informant and made indiscriminate firing as well as abused by taking caste name.

Submission of the learned counsel for the appellants is that in both the cases there is allegation that no injury has been received by any person and the appellants are villagers.

Heard learned Spl.P.P. and the learned counsel for the appellants. They have opposed the prayer for anticipatory Heard the parties.

Heard learned Spl. P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that there is allegation of indiscriminate firing not at the shop but at the house of the informant also as well as there is allegation of abusing by caste name also. .

Having heard both sides and in view of the facts and



circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the appellants, however, if both the appellants of both the appeals surrender before the learned Special Judge within a period of six weeks from the date of order and pray for regular bail that will be considered by the learned Special Judge on its own merit without being prejudiced by the order of this Court.

Accordingly, both the appeals are being dismissed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

