

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55010 of 2019

Arising Out of PS. Case No.-117 Year-2019 Thana- AANDAR District- Siwan

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1. ACHHELAL YADAV Son of Late Mahendra Yadav
 2. Kishundev Yadav @ Krishndev Yadav Son of Late Budhan Yadav
 3. Shiv Lal Manjhi Son of Late Nagina Manjhi
 4. Chandrama Yadav Son of Late Budhan Yadav
 5. Santosh Yadav @ Kharha Yadav Son of Late Tilak Yadav
 6. Jhagru Yadav Son of Late Tilak Yadav
 7. Dinesh Yadav Son of Nathuni Yadav
 8. Chandan Kumar Yadav @ Chandan Yadav Son of Achhelal Yadav
- All 1 to 8 are resident of Village-Sultanpur Dahabari, P.S.-Andar, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 11-12-2019 Heard both sides.

The petitioners apprehend their arrest in Andar P.S. Case No.117 of 2019 registered under Sections 147, 148, 149, 342, 323, 307, 333 and 353 of the Indian Penal Code.

The informant alleged that on secret inputs that some persons are taking wine inside the room, the police raided the place and saw four persons fleeing away. One of them was apprehended who disclosed his name as Dinesh Yadav(petitioner No.7). Dinesh Yadav disclosed the names of Munna Yadav, Shambhu Yadav and Kishundev Yadav. From the room, 2 bottles of liquor was recovered. Thereafter, the petitioners and many others assembled at the place of



occurrence started pelting stones on the police officials and they got freed Dinesh Yadav from the custody of the police.

The learned counsel for the petitioners submits that no specific allegation is made against the petitioners. Petitioner No.4(Chandrama Yadav) is an old man and he is ailing from different ailments.

Taking into consideration the facts aforesaid and nature of allegation made against the petitioners that the petitioners and others on being infuriated after the arrest of Dinesh Yadav(petitioner No.7) assembled and got Dinesh Yadav freed from the custody of the police and also pelted stones causing injury on the police officials, I am not inclined to enlarge the petitioners on anticipatory bail. Accordingly, the same is rejected.

If the petitioners surrender in the court below, learned court below shall consider the prayer for regular bail of the petitioners on its own merit without being prejudiced from the order of rejection and dispose of the bail petition particularly of petitioner No.4(Chandrama Yadav) on the same day taking into consideration his old age.

(Prabhat Kumar Jha, J)

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