

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53374 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- ALOULI District- Khagaria

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1. Amar Yadav @ Lucho Yadav Son of Late Arun Yadav Resident of Village- Rampur Alauli, P.S.- Alauli, District- Khagaria.
 2. Satish Yadav @ Kari Yadav Son of Solo Yadav Resident of Village- Rampur Alauli, P.S.- Alauli, District- Khagaria.
 3. Linkan Kumar @ Sujit Kumar Son of Bhushan Yadav Resident of Village- Rampur Alauli, P.S.- Alauli, District- Khagaria.
 4. Kari Yadav @ Misirjee Son of Isho Yadav Resident of Village- Rampur Alauli, P.S.- Alauli, District- Khagaria.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh

For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-08-2019 Heard learned counsel for the petitioners and
learned counsel appearing on behalf of the State.

Learned counsel appearing for the petitioner seeks permission to withdraw this application as against the petitioner No.2. Permission is accorded. Accordingly, this application is dismissed as against petitioner No.2.

Insofar as petitioner No.1, 3 and 4 are concerned, they apprehend their arrest in connection with Alauli P.S. Case No.35 of 2019, G.R. No.316 of 2019 for the offence punishable under Sections 147, 148, 341, 323, 385, 307, 504 of the Indian Penal



Code and Section 27 of the Arms Act.

The allegation against the petitioners as per the FIR is that petitioners demanded Rangdari of rupees one lakh from the informant and accused persons started pressing neck of the informant, however, informant succeeded in fleeing away from the clutches of the accused persons and accused persons also fled away after leaving the motorcycle at the place of occurrence.

Learned counsel appearing for the petitioners submits that petitioners have falsely been implicated in this case and they have got no criminal antecedent. Learned counsel further submits that there is a dispute between the parties relating to cultivation of land and further the motorcycle which was allegedly left by the petitioners does not belong to them. Learned counsel also submits that nobody has received injury due to the alleged firing made by the petitioners.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of State and taking into consideration the fact that no injury has been caused to the informant due to the alleged firing made by the petitioners and further the motorcycle does not belong to the petitioners, as such, I am inclined to grant anticipatory bail petitioner No.1, 3



and 4 .

Accordingly, petitioner No.1, 3 and 4, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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