

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60781 of 2019

Arising Out of PS. Case No.-168 Year-2019 Thana- GIRIYAK District- Nalanda

1. Sanjay Yadav @ Sanjay Jadav, Male, aged about 42 years, Son of Akloo Yadav, Resident of Village - Sataua, P.S.- Giriyak, District- Nalanda.
2. Dinesh Yadav, Male, aged about 40 years, Son of Late Budhan Yadav, Resident of Village - Sataua, P.S.- Giriyak, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.
For the Opposite Party/s : Mr. Rajiv Nayan, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Giriyak P.S. Case No.168 of 2019 registered under sections 147, 148, 149, 384 I.P.C & 27 of Arms Act.

The allegation against the petitioners is that the police got secret information that some miscreants were firing near Sataua River in order to show their supremacy in the locality and when the police personnel reached near the place of occurrence for verification, they found three used cartridges on the spot. It has further been alleged that on query made from the *chowkidar* and other persons, the police was informed that the



persons from two groups were making firing i.e. a group of Upendra Yadav and his associates and the group led by the petitioners and others.

Learned counsel appearing for the petitioners submits that the petitioners have got no criminal antecedent and they have falsely been implicated at the behest of village *chowkidar* and villager's with oblique motive. Learned counsel further submits that nobody has got any fire-arms injury due to alleged firing made by the petitioners and no illegal arms or cartridges has been recovered from the possession of the petitioner.

Having regard the submission made by the parties and taking into consideration the fact that the name of the petitioners have come on the basis of statement made by village *chowkidar* and others and no person has received any fire-arms injury, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today 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 the learned A.C.J.M-I, Nalanda at Bihar Sharif in connection with Giriya P.S. Case No.



168 of 2019, subject to the condition as laid down under Section
438(2) of the Cr.P.C.

(Anil Kumar Sinha, J)

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