

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72932 of 2019

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

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1. Vinod Yadav @ Vinod Kumar Yadav, male, aged about 36 years, son of Ramajee Yadav
 2. Brijnath Yadav @ Brij Yadav, male, aged about 35 years, son of Rambali Yadav
- Both 1 to 2 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.Sanjay Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Andar P.S. Case No. 117 of 2019 registered for the offence under Section 147, 148, 149, 342, 323, 307, 333 and 353 of the Indian Penal Code and Section 45 of the Bihar Prohibition and Excise Act, 2016.

The allegation against the petitioners as per the First Information Report is that Police raided a house in which four persons were having liquor and on seeing the Police Party, three



persons succeeded in fleeing away and one person namely, Dinesh Yadav was taken into custody. It has further been alleged that after some time the persons, who had fled from the place of occurrence, returned with 21 named accused along with 50 unknown persons and started assaulting upon the Police Party causing injuries to the driver of the Police Jeep and the Police Party and also ransacked the Police Jeep etc.

Learned counsel for the petitioners submits that petitioners have got no criminal antecedent and have falsely been implicated in this case. Learned counsel further submits that from perusal of the First Information Report it is clear that 21 named accused along with 50 unknown persons had allegedly assaulted the Police Party and damaged the Police Jeep and other properties of the Police Party. Learned counsel further submits that allegation against the petitioners is general and omnibus in nature and no specific allegation has been levelled against the petitioners. Learned counsel further submits that the petitioners are not one of the persons who had fled away from the place of occurrence earlier.

Having heard learned counsel for the parties and taking into consideration the fact that the allegation against the petitioners and other named accused persons including the



unknown persons are general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioners.

Accordingly, let the petitioners Vinod Yadav @ Vinod Kumar Yadav and Brijnath Yadav @ Brij Yadav in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order be released on anticipatory bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 2nd cum Special Judge (Excise), Siwan in connection with Andar P.S. Case No. 117 of 2019 subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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