

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1816 of 2020

Arising Out of PS. Case No.-265 Year-2018 Thana- GOGRI District- Khagaria

1. PANKAJ YADAV @ PANKAJ KUMAR Son of Maheshwar Yadav Resident of Village - Usri, P.S.- Gogri, District- Khagaria
2. Balbir Yadav Son of Maheshwar Yadav Resident of Village - Usri, P.S.- Gogri, District- Khagaria
3. Binodi Yadav Son of Maheshwar Yadav Resident of Village - Usri, P.S.- Gogri, District- Khagaria
4. Sonu Yadav Son of Devan Yadav Resident of Village - Usri, P.S.- Gogri, District- Khagaria
5. Rupes Yadav @ Rupesh Kumar Son of Devan Yadav Resident of Village - Usri, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sumiran Rai
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders” under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 447, 341, 323, 379/34 of the Indian Penal Code and 27 of the Arms Act.



Allegedly, while the informant was watching his field, the accused persons surrounded and assaulted him with lathi as a result of which, he became unconscious and fell down. It is also alleged that Rs. 500/- and a wrist watch was also snatched away by the accused persons. Firing is also alleged to have been resorted to.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case due to previous land dispute. The allegation of theft is denied by the petitioners. Except offence under Section 379 of the Indian Penal Code, all the offences are bailable. So far Section 27 of the Arms Act is concerned, the same is not applicable against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Sri Deepak Kumar, learned Chief Judicial Magistrate, Khagaria in



connection with Gogri P.S. Case No. 265 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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