

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8912 of 2020

Arising Out of PS. Case No.-542 Year-2019 Thana- BARAHAT District- Banka

1. Hirakant Jha @ Hira Jha Son of Late Nawal Kishore Jha Resident of Jethor Kakaria, P.S.-Barahat, District-Banka.
2. Kedar Yadav Son of Late Mani Yadav @ Maino Yadav Resident of Jethor Kakaria, P.S.-Barahat, District-Banka.
3. Hira Yadav @ Hira Lal Yadav Son of Late Govind Yadav Resident of Jethor Kakaria, P.S.-Barahat, District-Banka.
4. Arun Singh @ Arun Ram Son of Panchi Ram @ Pancho Singh Resident of Jethor Kakaria, P.S.-Barahat, District-Banka.
5. Gopi Yadav Son of Late Bhupo Yadav @ Late Bhupa Yadav Resident of Jethor Kakaria, P.S.-Barahat, District-Banka.
6. Pappu Yadav Son of Mugni Yadav @ Sushil Yadav Resident of Jethor Kakaria, P.S.-Barahat, District-Banka.
7. Saket @ Laddu Yadav Son of Santlal Yadav @ Satlal Yadav Resident of Jethor Kakaria, P.S.-Barahat, District-Banka.
8. Raja Ram Rai Son of Sahan Rai @ Rajani Rai Resident of Patharkudia, P.S.-Barahat, Banka.
9. Manoj Yadav @ Manoj Kr. Yadav Son of Saryug Yadav Resident of Ammatikar, P.S.-Barahat, District-Banka.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Rajib Ranjan Jha
For the Opposite Party : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-02-2020

Heard the learned counsel for the petitioners

and the learned APP for the State.

The petitioners apprehend their arrest in connection with Banka (Barahat) P.S. Case No. 542 of 2019 for the offence punishable under Sections 25 (1-b) A, 26 and 35 of



the Arms Act.

The allegation is regarding the police having received information that two parties were about to engage in scuffle on account of dispute pertaining to a piece of land and one of the party had got some anti-social elements with arms in order to capture the land, however, the informant along with other police officers had arrived on the said place of occurrence whereupon some persons were apprehended and arms were recovered, nonetheless, it is alleged that the other accused persons including the petitioners had managed to flee away.

The learned counsel for the petitioners submit that, as far as the petitioner Nos. 1 and 9 are concerned, they are accused in some other case but are on bail in the said case. However, it is submitted that rest of the accused persons are having clean antecedent. It is further submitted that the petitioners are innocent, they have falsely been implicated in the present case and there is no allegation of any sort of overt act or them having engaged in assaulting the other side.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to direct for release of the petitioners on anticipatory bail.



Accordingly, in the event of arrest or surrender in the court below within a period of four weeks from today, the petitioner above named are directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/-(rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Banka with Banka (Barahat) P.S. Case No. 542 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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