

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3201 of 2020

Arising Out of PS. Case No.-108 Year-2019 Thana- SARE District- Nalanda

1. Jitendra Yadav @ Jitendra @ Jitu Yadav S/o Late Siya Saran Yadav R/o village- Ali Nagar, P.S.- Sare, District- Nalanda
2. Rupesh Yadav S/o Late Siya Saran Yadav R/o village- Ali Nagar, P.S.- Sare, District- Nalanda
3. Soni Yadav S/o Ramadhin Yadav R/o village- Ali Nagar, P.S.- Sare, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar, Advocate
For the Opposite Party/s	:	Mr.Bharat Bhushan, Advocate
For the Informant	:	Mr. Satya Prakash, Advocate

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 342, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Manoj Yadav submitted to the Station House Officer of Sare Police Station is to the effect that on 13.11.2019 at 3.10 P.M., four accused persons including the petitioners surrounded the



informant and started firing. On alarm being raised, others escaped from the scene but one co-accused Rambalak Choudhary was apprehended from whose possession, the arms were recovered.

It is submitted by learned counsel for the petitioners that the informant's side killed the own brother of petitioner no. 3 Soni Yadav namely, Anandi Yadav on 21.11.2018 for which, Sare P.S. Case No. 148 of 2018 was registered and presently, the informant is facing trial, as a result, as a retaliatory measure, the present case has been lodged by the informant and admittedly, no injury has been caused to anyone. The petitioners are accused in one another case in which they are on bail.

Learned APP submits that the petitioners are named in the FIR with specific accusation of resorting fire.

Considering the fact that the petitioners were not apprehended from the spot and no injury has been caused to anyone, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in



connection with Sare P.S. Case No. 108 of 2019, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--

