

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6976 of 2020

Arising Out of PS. Case No.-68 Year-2019 Thana- KHIRI MORE District- Patna

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1. Dhirendra Yadav, Son of Ram Das Yadav, Resident of Village - Fathepur, P.S.- Khidimore, Dist.- Patna.
 2. Randhir Kumar @ Randhir Yadav @ Nagendra Yadav, s/o Ram Das Yadav, Resident of Village - Fathepur, P.S.- Khidimore, Dist.- Patna.
 3. Ram Das Yadav, Son of Late Deepnath Yadav, Resident of Village - Fathepur, P.S.- Khidimore, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate
For the Opposite Party/s : Mr.Ram Naresh Ray, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 19-06-2020 The matter has been listed today for consideration through video conferencing in view of the nationwide lockdown on account of COVID-19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

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

The petitioners are apprehending their arrest in connection with Khirimore P.S. Case No.68 of 2019 registered



for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Six F.I.R. named accused persons are alleged to have snatched Rs.40,000/- from the pocket of the informant. Dharendra Yadav (petitioner No.1) allegedly assaulted the informant on his head with his pistol and thereafter by *Fasuli*, resulting in cut injury on his ears.

The petitioners' counsel submits that the prosecution case is false and fabricated based on village politics. The informant's side had lodged Khirimore P.S. Case No.65 of 2019 (Annexure 3) and as a counterblast thereto, the petitioners have been implicated in this case due to subsisting animosity since before. Annexure 2 is a joint compromise petition filed by the petitioners and the informant in the court below.

Learned APP for the State has opposed the prayer for anticipatory bail. It is submitted that the petitioners are named accused.

Considering the rival submissions, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

Accordingly, let the petitioners, above named, in the



event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Shri Manish Kumar, J.M. 1st Class, Danapur, Patna, in connection with Khirimore P.S. Case No.68 of 2019, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

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