

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20780 of 2020

Arising Out of PS. Case No.-139 Year-2018 Thana- JADIA District- Supaul

1. Bipin Kumar Yadav @ Bipin Yadav son of Bindeshwari Prasad Yadav
2. Raghuraj Mehta son of Kishundayal Mehta
3. Sanjiv Kumar Bharti @ Sanjiv Kumar son of Janardan Yadav
4. Rupesh Kumar @ Nunu Yadav son of Janardan Yadav

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh
For the Opposite Party/s : Mr. Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

2 05-11-2020 The office has pointed out several defects to which learned counsel of the petitioner submits that the aforesaid defects shall be removed when the court starts normal function if the court permits to do so.

Permission is granted

Accordingly, petitioners are permitted to remove the defects when the court start normal function.

Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Jadia P.S. Case No. 139 of 2018 registered for the offences punishable under Sections 147,148,149,341,323,332,353,435



ande 120B of the Indian Penal Code.

The accusation against the petitioners is that they along with several other persons blocked public road causing inconvenience to public and also created ruckus over the place of occurrence when the informant and other police officials went there.

Learned counsel of the petitioners submits that no specific overt act has been attributed against the petitioners and as a matter of fact, on the alleged date of occurrence, one Birendra Yadav was badly beaten by one Sonu Singh and having got the aforesaid news several persons assembled at the clinic of a doctor where treatment of the aforesaid Birendar Yadav was going on and, therefore, even if, it assumed that petitioners were seen over the place of occurrence, then also, it cannot be said that petitioners had also participated in the alleged crime and moreover, petitioners do not have any criminal antecedent which is evident from perusal of Para-3 of the petition.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that above named, petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court



concerned, shall 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 the Additional Chief Judicial Magistrate- V, Supaul in Jadia P.S. Case No. 139 of 2018 subject to condition as laid down under Section 438(2) of the Cr.P.C.

Furthermore, petitioners shall remove the defects within four weeks from the date when the court starts normal function , failing which the office shall place this matter before the appropriate Bench for passing necessary order.

(Hemant Kumar Srivastava, J)

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