

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18469 of 2020

Arising Out of PS. Case No.-354 Year-2019 Thana- SAHEBPUR KAMAL District-
Begusarai

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1. Uma Yadav @ Uma Shankar Yadav @ Uma Shankar Kumar, Male, aged about 22 years, Son of Sumit Yadav @ Subodh Yadav, Resident of Village-Gyan tol, P.S.-Sahebpur Kamal, District-Begusarai.
 2. Bipin Yadav @ Bipin Kumar, Male, aged about 32 years, Son of Late Kailash Yadav, Resident of Village-Gyan tol, P.S.-Sahebpur Kamal, District-Begusarai.
 3. Rupesh Yadav @ Rupesh Kumar, Male, aged about 42 years, Son of Late Kailash Yadav, Resident of Village-Gyan tol, P.S.-Sahebpur Kamal, District-Begusarai.
 4. Pankaj Yadav, Male, aged about 40 years, Son of Late Kailash Yadav, Resident of Village-Gyan tol, P.S.-Sahebpur Kamal, District-Begusarai.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Sandip Kumar Gautam, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2020 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
A.P.P. for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 341, 387, 307, 447,
506 of the IPC and 27 of the Arms Act.



The prosecution story, in brief, is that the petitioners demanded Rs. 5,00,000/- from the father of the informant and when the said amount was not given they had shot fired upon the father of the informant with intention to kill him but he escaped.

It has been submitted by learned counsel for the petitioners that the petitioner no. 1 has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. None is said to have been injured in course of occurrence. No offence under Section 307 of the IPC is made out. There is case and counter case between the parties. Free fight is alleged to have taken place. Injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the 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 eight weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of the learned



C.J.M., Begusarai, in connection with Sahebpur Kamal P.S.
Case No. 354 of 2019, 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) each
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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