

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23924 of 2020

Arising Out of PS. Case No.-80 Year-2020 Thana- BUXAR INDUSTRIAL District- Buxar

1. LAL SAHEB YADAV @ LAL SAHAB YADAV S/O Late Ram Ekbal Yadav @ Ram Ekbal Singh Resident of Village - Chhotki Basauli, P.S.- Buxar (industrial), District - Buxar.
2. Subedar Yadav S/O Late Dharamdeo Yadav Resident of Village - Chhotki Basauli, P.S.- Buxar (industrial), District - Buxar.
3. Bajrang Yadav S/O Late Surajnath Yadav Resident of Village - Chhotki Basauli, P.S.- Buxar (industrial), District - Buxar.
4. Kamlesh Yadav @ Kamleshwar Yadav S/O Late Devmuni Yadav Resident of Village - Chhotki Basauli, P.S.- Buxar (industrial), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 26-11-2020 The learned counsel for the parties were heard yesterday at length and the instant case has been listed today “For Orders”.

The petitioners apprehend their arrest in connection with Buxar (Industrial) P.S. Case No. 80 of 2020 for the offence punishable under Sections 307, 504, 506, 120(B) and other allied sections of the Indian Penal Code.

The case of the prosecution in brief, according to the informant Shiv Prasan Yadav, is that on 18.05.2020 at about 10 AM, measurement of land was taking place on account of



dispute between the informant and one Raju Yadav, whereupon wooden sticks were fixed for demarcating the land in presence of the co-villagers. It is further alleged that subsequently, the said Raju Yadav along with other persons including the petitioners herein, variously armed with pistol, gun, rifle, iron rod javelin, farsa etc. had arrived at the said place of occurrence and engaged in indiscriminate firing, resulting in six persons receiving serious firearm injuries.

The learned senior counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against the accused persons and there is no allegation of any sort of overt act as far as the petitioners are concerned.

The learned APP appearing for the State has vehemently opposed the prayer for anticipatory bail, made by the petitioners.

Having heard the learned counsel for the parties and having perused the materials on record as also having gone through the case diary in question, this Court finds that several persons have received firearm injuries and some of the injured



persons have received grievous injuries and moreover, the complicity of the accused persons including the petitioners herein is writ large from the records, hence, I do not find the present case to be at least a fit case for grant of anticipatory bail, thus, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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