

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30307 of 2020

Arising Out of PS. Case No.-207 Year-2019 Thana- BAKHTIYARPUR District- Patna

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1. SALOON YADAV Son of Swarath Yadav @ Kaillu Yadav R/o Village- Chanda, P.S.- Athmalgola, District- Patna.
 2. Azad Yadav Son of Swarath Yadav @ Kaillu Yadav R/o Village- Chanda, P.S.- Athmalgola, District- Patna.
 3. Ashlok Yadav Son of Swarath Yadav @ Kaillu Yadav R/o Village- Chanda, P.S.- Athmalgola, District- Patna.
 4. Ajeet Yadav Son of Swarath Yadav @ Kaillu Yadav R/o Village- Chanda, P.S.- Athmalgola, District- Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha
For the Opposite Party/s : Mr. Manoj Kumar Srivastava

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-12-2020 Heard Mr. Rajesh Kumar Sinha, learned counsel

for the petitioners and Mr. Manoj Kumar Srivastava, learned

APP for the State.

Learned counsel for the petitioners, at the very

outset, has submitted that he has filed a supplementary

affidavit seeking amendment in paragraph – 1 and prayer

portion of the bail petition.

The aforesaid supplementary affidavit is not on



record, but accepting the submission of learned counsel for the petitioners, let the P.S. Case Number in the first paragraph of bail petition as well as in the prayer portion be read as Bakhtiyarpur P.S. Case No. 207 of 2019.

The petitioners seek bail in anticipation of their arrest in connection with Bakhtiyarpur P.S. Case No. 207 of 2019 instituted for the offence under Sections 147, 148, 149, 307, 186, 353, 427 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The petitioners though have been named in the First Information Report but they have not been attributed with any specific overt act. Their names have been taken along with other accused persons as having damaged the property of Swachh Bihar Tea Stall. There is litigation pending between the parties vide Bakhtiyarpur P.S. Case No. 191 of 2019 and the present case is only an offshoot of the aforesaid case.

The petitioners, therefore, claim that they have been falsely implicated in this case. Apart from the aforesaid case about which reference has been given in



paragraph -3 of the bail petition, namely, Bakhtiyarpur P.S. Case No. 191 of 2019, there is no other case pending against the petitioners.

Considering the aforesaid facts, the petitioners, above named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of Ten weeks from the date of receipt / production of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M -I, Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 207 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure

(Ashutosh Kumar, J)

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