

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25682 of 2020

Arising Out of PS. Case No.-375 Year-2019 Thana- BUXAR MUFFSIL District- Buxar

1. Surendra Yadav Son of Late Birodhi Yadav Resident of Village - Babhoni, P.S.- Buxar (M), District - Buxar
2. Dayashankar Yadav Son of Surendra Yadav Resident of Village - Babhoni, P.S.- Buxar (M), District - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhaneshwar Prasad Gupta, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the Informant	:	Mr.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 03-12-2020 Heard Mr. Dhaneshwar Prasad Gupta, learned counsel for the petitioners, Mr. Shiv Pratap, Assistant to Mr. Ajit Kumar, Advocate for the informant and Mr. Ram Priya Sharan Singh, learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Buxar (Muffasil) P.S. Case No. 375 of 2019 dated 06.12.2019 instituted for the offences under Sections 147, 148, 149, 341, 329, 307, 504, 506 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners at the outset has submitted that many persons have been named in the FIR, whereas several other unnamed



person also have been made accused.

The specific act of assault has been attributed to Ganesh Yadav, Naresh Yadav and Akhilesh Yadav. Though the petitioners and others are also said to have assaulted but the allegation is couched in general and omnibus terms. For all practical purposes, it has been submitted on behalf of the petitioners that they are members of the mob.

However, learned counsel for the informant has opposed the prayer for grant of anticipatory bail on the premise that but for the presence of so many accused persons, the occurrence would not have taken place. He has further submitted that this is a case of Section 302 IPC and, therefore, the petitioners would be well advised to approach the court below and seek regular bail.

However, regard being had to the fact that the petitioners are not specifically alleged to have done anything, they are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial



Magistrate, Buxar in connection with Buxar (Muffasil)
P.S. Case No. 375 of 2019, subject to the conditions as
laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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