

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29884 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- SHERGHATI District- Gaya

1. AJAY YADAV @ AJAY KUMAR @ AJAY KUMAR YADAV Son of Ram Pravesh Yadav Resident of Village- Karmauni, P.S.- Dobhi, District- Gaya.
2. Dilkhush Yadav @ Dilkhush Kumar Son of Rambarat Yadav Resident of Village- Karmauni, P.S.- Dobhi, District- Gaya.
3. Pitan Yadav @ Pritam Yadav @ Pritam Kumar Son of Lochan Yadav Resident of Village- Karmauni, P.S.- Dobhi, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh
For the Opposite Party/s : Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises out of Sherghati (Dobhi) Police Station Case No. 55 of 2019, disclosing offences under Sections 147/148/149/341/323/325/337/338/332/333/353/307/120-B/504 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information Report, is that the police party arrived at the village for conducting raid and when they reached near the house of Manoj



Yadav, the moment the police party started surrounding the house of Manoj Yadav, the said Manoj Yadav started abusing the police party and called his co-villagers and directed them to attack upon the police party and upon his instigation, the petitioners and others started making firing upon the police personnel and also pelted stones. It has further been alleged that in their defence, counter firing was also made on behalf of the police party and taking advantage of the same, Manoj Yadav and others managed to flee away. The petitioners have been identified by the informant and the Officer-in-Charge, who were indulged in the firing upon the police party.

Learned Counsel for the petitioners submits that the petitioners have not committed any offence in the manner alleged and they have falsely been implicated in this case with oblique motive. He further submits that no specific allegation has been levelled against the petitioners and the allegation against them is general and omnibus in nature. He further submits that the petitioners have been implicated in this case merely on the basis of the fact that they are the co-villagers of Manoj Yadav.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record



and the fact that the petitioners have specifically been named in the First Information Report, who were indulged in the firing upon the police personnel, I am not inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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