

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71594 of 2019

Arising Out of PS. Case No.-248 Year-2019 Thana- KHAIRA District- Jamui

-
1. Madan Yadav Son of Late Mathura Yadav @ Late Rohan Yadav
 2. Shakindra Yadav @ Shako Yadav Son of Late Mathura Yadav @ Late Rohan Yadav
 3. Bijo Yadav @ Bijay Yadav Son of Late Bihari Yadav Resident of Village- Paisra Jhitti, P.S.- Khaira, District- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Pritish Lal, Adv.
For the State	:	Mr. Binod Kumar, A.P.P.
For the Informant		Mr. Pankaj Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

5 14-07-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State through video conferencing.

Petitioners apprehend their arrest in connection with Khaira P.S. Case No. 248 of 2019 registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code and 27 of the Arms Act as well as Section 3/4



of Explosive Substance Act.

Petitioners are said to have assaulted the injureds when they came to save the life of injured Om Prakash Yadav.

Learned counsel of the petitioners submits that allegation of firing is against co-accused Daso Yadav and so far as these petitioners are concerned, it is only stated that they assaulted the injured persons by means of lathi. It is further submitted that as a matter of fact, there was land dispute between the parties and the prosecution party forcibly wanted to take possession of lands of the petitioners.

Considering the aforesaid facts and circumstances as well as submissions of the parties, I do not feel it proper to extend the privilege of anticipatory bail to petitioners and accordingly, their prayer for anticipatory bail stand rejected.

However, petitioners are directed to surrender before the court below within eight weeks from the date of receipt/production of copy of this order to concerned court and furthermore, if petitioners do so and seek regular bail, the concerned court shall dispose of regular bail petition of the petitioners on the day of their surrender. It is also made clear that at the time of consideration of regular bail application of the petitioners, the concerned court shall keep in mind the



arguments advanced on behalf of the petitioners before this court.

(Hemant Kumar Srivastava, J)

shahzad/-

U		T	
---	--	---	--

