

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26976 of 2021

Arising Out of PS. Case No.-480 Year-2020 Thana- BANKA District- Banka

PAPPU YADAV S/O LATE SIKANDAR YADAV, R/o village- Majlishpur,
P.S. and District- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha
For the Opposite Party/s : Mr. A.G.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-11-2021 Heard learned counsel for the petitioner.

Learned counsel for the petitioner is directed to remove
all the defects pointed out by the office within one month.

This case is being taken up on priority basis
considering the mentioning slip of the petitioner that he is going
to contest the election of Mukhiya and its nomination is being
started from 06.11.2021.

In this case, the petitioner apprehends his arrest in
connection with Banka P.S. Case No. 480/2020 registered for
the offences punishable under section 147, 148, 149, 341, 323,
307, 353, 504 of the Indian Penal Code, section 27 of the Arms
Act and sections 3/4 of the Explosive Substance Act.

As per allegation, the police party reached at the place



of occurrence on the information that there was tension between two villages. The police party saw the mob assembled on the road. On enquiry, police came to know that there was tension between the villagers of Navtoliya and Majlishpur. The police also got information that both the villagers exchanged hurling brickbats as well as there also recovered reminiscences of bomb explosion on the place of occurrence. Kayum Ansari and Khursid Ansari were also arrested in injured condition at the place of occurrence.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that nine co-accused persons having similar allegation, have been granted bail by the coordinate Bench in Cr. Misc. No. 16268 of 2021, vide order dated 26.10.2021 and one co-accused Munna Yadav @ Manoj Yadav was also granted anticipatory bail, vide Cr. Misc. No.5988 of 2021, vide order dated 12.08.2021.

Learned counsel for the Additional Public Prosecutor has opposed the prayer for bail.

Considering the fact that the other co-accused persons having similar allegation, have been granted bail by the coordinate Bench of this Court, this Court does not see any



reason as to why the similar benefit should not be extended to the present petitioner. As such, the prayer for anticipatory bail is allowed. let the petitioner above named, in the event of his arrest or surrender, within four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No.480/2020, subject to condition as laid down under section 438(2) Cr. P.C.

(Nawneet Kumar Pandey , J)

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