

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1269 of 2021

Arising Out of PS. Case No.-289 Year-2019 Thana- JOGAPATTI District- West Champaran

1. Vinod Yadav, son of Late Faudi Yadav.

2. Pappu Yadav, son of Nagina Yadav

Both are resident of village-Dularpatti, P.S. Shanichari,
District – West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 09-02-2021

Heard Mr. Bimlesh Kumar Pandey, learned Counsel
for the petitioners and Mr. Jitendra Kumar Singh, learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Yogapatti Police Station Case No. 289 of 2019,
disclosing offences under Sections 147, 148, 149, 341, 323, 324,
307, 353, 427, 504 and 506 of the Indian Penal Code.

The allegation, as per First Information Report is
that the two groups, i.e., of Mukhiya and Sarpanch were fighting
amongst themselves at Basopatti village near High School and
when the police party arrived at the place of occurrence, persons
belonging to that groups including the petitioner started
insulting and assaulting the police party and 14 accused persons



named in the FIR including the petitioner and 100 unknown persons created a disturbances with the police party and also tried to snatch their fire arm.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in the present case inasmuch as on the same date of occurrence, three FIRs have been lodged inasmuch as the side of the petitioner has also lodged Yogapatti P.S. Case No.291 of 2019 and other side has also lodged Yogapatti P.S. Case No.290 of 2019 and the third case has been lodged by the police. Learned counsel next submits that from perusal of the FIR, the allegation against the petitioners is general and omnibus and no specific allegation has been levelled against them and altogether 14 persons along with 100 unknown persons created disturbances with the police party.

Having regard to the submissions made by the parties and taking into consideration the nature of allegation which is general and omnibus and both the petitioners are having no criminal antecedent except one case lodged by the other side on the same date, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner No.1, Vinod Yadav and petitioner



No.2, Pappu Yadav, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Yogapatti Police Station Case No. 289 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear at the time of furnishing bail bond, all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J.)

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