

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30739 of 2020

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

BHOLI YADAV @ ABHAY KUMAR Son of Rambarat Yadav @ Rambrd
Yadav @ Rambharat 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. Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 22-03-2021 As prayed for, let the learned counsel appearing for
the petitioner remove the defect(s), as pointed out by the
office vide its notes dated 10.11.2020, within four weeks of
starting of Court proceeding in physical mode in normal
course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Sherghati (Dobhi) P.S. Case No. 55 of 2019, registered
under Sections 147, 148, 149, 341, 323, 325, 337, 338, 332, 333,
353, 307, 120-B and 504 of the Indian Penal Code and Section 27
of the Arms Act, pending in the court of the learned Additional
Chief Judicial Magistrate, Sherghati, Gaya.

The accusation is that, in course of raid, two accused



were apprehended and on their identification, when the informant and other Police personnel reached at the house of Manoj Yadav in village-Karmauni then Manoj Yadav started abusing the Police personnel and called his another villagers. Thereafter, villagers gathered there then Manoj Yadav asked them to assault the Police parties on which villagers started making firing, as a result thereof, three Police personnel sustained injuries. At that time, one person was apprehended, who disclosed his name Pappu Yadav, but others succeeded to flee away. At that time, 15 persons, including the petitioner, were identified by the local Chowkidar.

Learned counsel appearing on behalf of petitioner submits that it would appear from the F.I.R. that petitioner is said to be member of mob gathered at the place of occurrence, out of which some persons said to be caused injury to the Police personnel by hard and blunt substance. Further submission is that while petitioner is accused in three cases, as detailed in paragraph No.3, but he is on bail in that cases.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant pre-arrest bail to the petitioner. Accordingly, his prayer for grant of pre-arrest bail stands



rejected. The petitioner is directed to surrender before the trial Court within six weeks and pray for regular bail, which shall be considered by the trial Court in accordance with law without being prejudiced by the order of this Court.

(Rajendra Kumar Mishra, J)

manish/-

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

