

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34573 of 2020

Arising Out of PS. Case No.-208 Year-2019 Thana- BAKHTIYARPUR District- Patna

1. SAILON YADAV @ SAILOON YADAV Son of Ram Swarathyadav @ kaillu Yadav R/Village - Chanda, P.S. - Athmalgola, District - Patna.
2. Azad Yadav Son of Ram Swarathyadav @ Kaillu Yadav R/Village - Chanda, P.S. - Athmalgola, District - Patna.
3. AShlok Yadav Son of Ram Swarathyadav @ Kaillu Yadav R/Village - Chanda, P.S. - Athmalgola, District - Patna.
4. Ajeet Yadav Son of Ram Swarathyadav @ Kaillu Yadav R/Village - Chanda, P.S. - Athmalgola, District - Patna.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha, Advocate
For the Opposite Party/s : Ms. Anita Kumari, A.P.P

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 22-06-2021 Heard learned counsel for the petitioners and the learned A.P.P. for the State through video conferencing.

The petitioners apprehend their arrest in connection with Bakhtiyarpur P.S. Case No. 208 of 2019, registered under Sections 147, 148, 149, 323, 307, 435, 436, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act, pending in the court of the learned A.C.J.M-I, Barh, Patna.

The accusation is that informant Manoj Kumar, on closing his tea shop situated near the patrol pump at N.H. 31, was present near the adjacent shop. At that time, he heard



sound of firing at his shop then he saw that 13 persons named in the F.I.R. including four petitioners and 10 to 12 unknown are indulged in making firing and damaging his shop and, thereafter, all put fire in his shop. On giving information to the Police, the Police party came there then all started firing towards Police, the Police party also made firing, in defence. At that time, two persons were caught hold along with three motorcycles by the Police party.

Learned counsel appearing on behalf of petitioners submits that petitioners have been falsely implicated in this case due to land dispute.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioners, I am not inclined to grant pre-arrest bail to the petitioners. Accordingly, their prayer for grant of pre-arrest bail stands rejected. The petitioners are directed to surrender before the trial Court within four 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)

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