

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.6537 of 2021**

Arising Out of PS. Case No.-214 Year-2020 Thana- PHULWARISHARIF District- Patna

1. PINTU YADAV SON OF SURESH RAY @ SURASH RAY RESIDENT OF VILLAGE-BARI BADALPURA LAKHPAR, P.S- KHAGAIL, DISTT- PATNA
2. BABLU SINGH SON OF LATE VISHWANATH SINGH RESIDENT OF VILLAGE- BADALPURA, LAKHPAR, P.S- KHAGAIL, DISTT- PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ghanshyam Tiwary, Advocate

For the Opposite Party/s : Mr.A.P.P.

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      23-11-2021                      Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Phulwarisharif P.S. Case No. 214 of 2020 for the offence registered under Sections 147, 148, 323, 307, 504, 506, 337 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons having assaulted and tried to kill the informant when he had objected to the activity of gambling being resorted to by the accused persons as also them shouting in an abusive manner. The allegation of firing is on the co-accused person namely Sanni Kahar, however, it is stated that when he had tried to fire gun shot, the same had mis-fired.



The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having a clean antecedent. The learned counsel has further submitted that as far as the petitioners are concerned, there is no allegation of any sort of overt act having been engaged in by them and only a general and omnibus allegation has been levelled.

Per contra, learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and taking into account the materials on record, this Court finds that firstly the petitioners are having a clean antecedent and secondly no allegation of any sort of overt act has been levelled against them so as to warrant arrest of the petitioners, hence I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Judge-IX, Patna in connection with



Phulwarisharif P.S. Case No. 214 of 2020 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

**(Mohit Kumar Shah, J)**

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