

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13351 of 2021

Arising Out of PS. Case No.-630 Year-2020 Thana- BANKA District- Banka

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1. Mohar Yadav Son Of Tipan Yadav Resident Of Village- Kushaha, P.S.- Banka, Distt- Banka.
 2. Paltu Yadav Son Of Saryu Yadav Resident Of Village- Kushaha, P.S.- Banka, Distt- Banka.
 3. Mantu Yadav Son Of Mohan Yadav Resident Of Village- Kushaha, P.S.- Banka, Distt- Banka.
 4. Sildhar Yadav Son Of Shrawan Yadav Resident Of Village- Kushaha, P.S.- Banka, Distt- Banka.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.
For the Opposite Party/s : Ms. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-01-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State through the virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within three weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 307, 302 of the Indian Penal Code and Section ¾ of the Explosive Act.



All the above named petitioners along with 10 other accused persons came with lathi, danda, rod, pistol and bomb and started to assaulted the informant and his brothers. On instruction of Ramesh Yadav, Dinesh Yadav, and Yogendra Yadav started to throw bomb over the informant and others and in the meantime, one of the brothers of the informant got bomb injury over his back and fell down and all the accused assaulted him over his head as a result of which he died on spot.

It is submitted by learned counsel for the petitioners that petitioners are innocent and have been falsely implicated in this case. He submits that there is general and omnibus allegation levelled against the petitioners. Petitioners are the members of mob. He further submits that petitioners have one criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail and submits that all accused persons including the petitioners are also involved in the present case and all the witnesses have supported the prosecution case.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioners on bail. Accordingly, their prayer for anticipatory bail is rejected in



connection with Banka P.S. Case No. 630 of 2020.

(Anjani Kumar Sharan, J)

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