

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(From The Official Chambers Via Video Conferencing)  
CRIMINAL MISCELLANEOUS No.15476 of 2021**

Arising Out of PS. Case No.-138 Year-2020 Thana- KAUWAKOL District- Nawada

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1. SAKAL DEV YADAV Son of Rambrichh Yadav Resident of Village Bhandari, P.S. - Kauwakol, District - Nawada.
  2. Mahendra Yadav Son of Gonu Yadav Resident of Village Bhandari, P.S. - Kauwakol, District - Nawada.
  3. Birval Yadav @ Birbar Kumar Son of Gupssi Yadav Resident of Village Bhandari, P.S. - Kauwakol, District - Nawada.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr.Rajesh Kumar Mishra, Adv.

For the Opposite Party/s : Mr. J.N. Thakur, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR  
PANDEY**

ORAL ORDER

2      17-01-2022                      Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as learned APP for the State.

At the outset, learned counsel for the petitioners has submitted that petitioner No. 2, Mahendra Yadav, has been arrested during pendency of the petition. As such, he wants to withdraw the anticipatory bail petition on behalf of the petitioner No. 2.

Accordingly, the anticipatory bail petition in respect



of petitioner No. 2 is dismissed as withdrawn.

So far as petitioner Nos. 1 and 3 are concerned, the petitioners apprehend their arrest in connection with Kauwakol P.S. Case No. 138 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 153(A), 188, 269, 270, 337, 338, 353 and 427 of the Indian Penal Code.

The Officer in charge of Kauwakole Police Station, recorded the FIR that on 12.05.2020 at about 19:45 a communal riot between two communities were going on and when the informant tried to pacify, both communities became aggressive and assaulted the police personnel and caused damage to his jeep.

Learned counsel for the petitioners has submitted that considering the facts and circumstances and nature of the case the coordinate Bench has granted anticipatory bail to eight accused persons in Cr. Misc. No. 29547 of 2020 vide order dated 8.2.2021.

Considering the fact that other co-accused persons on similar footing have been granted anticipatory bail by the coordinate Bench, let the petitioners be released on anticipatory bail in the event of their arrest or surrender within four weeks before the learned court below on furnishing bail bond of Rs.



10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-4th, Nawada in connection with Kauwakole P.S. Case No. 138 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

**(Nawneet Kumar Pandey , J)**

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