

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6780 of 2022

Arising Out of PS. Case No.-7 Year-2021 Thana- MANSI District- Khagaria

1. Bipul Yadav @ Biplesh Yadav, Son Of Fido Yadav Resident Of Village- Amni, P.S.- Mansi, District- Khagaria.
2. Chandan Yadav, Son Of Musahru Yadav Resident Of Village- Amni, P.S.- Mansi, District- Khagaria.
3. Vikash Yadav, Son Of Late Ramanand Yadav Resident Of Village- Amni, P.S.- Mansi, District- Khagaria.
4. Tejo Yadav, Son Of Late Radheshyam Yadav Resident Of Village- Amni, P.S.- Mansi, District- Khagaria.
5. Pintu Yadav, Son Of Subedar Yadav Resident Of Village- Amni, P.S.- Mansi, District- Khagaria.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav
For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 27-09-2022 By order dated 02.06.2022 the anticipatory bail application of the petitioner no.1 was withdrawn.

Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioners submits that



the petitioner no.2 has antecedent of one case and petitioner nos.3 and 4 have antecedent of two cases and petitioner no.5 is a person of clean antecedent and the informant alleges that on 04.01.2021 at 5.00 in the morning, when he was in his field along with his friend Arun Singh and Uttim Lal Singh, when the accused persons including the petitioners came variously armed and started firing in which one person got injured when police reached and took the injured to the hospital.

The learned counsel for the petitioners that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that the informant has made a vague allegation in the F.I.R. alleging that on account of firing, one person got injured, but has not disclosed the name of the injured. It is next submitted that Mansi P. S. Case No.06 of 2021 was instituted by Ramashish Yadav (accused) wherein he had alleged that it were the informant and his side, who were aggressor on account of land dispute in which his nephew Amlesh Yadav got injured by firing and he was taken to hospital. The learned counsel thus submits that it was Amlesh Yadav, who got injured in the firing made from the side of the informant, but the informant instituted the present case by way of after thought alleging that one person got injured in the firing without disclosing his name. The



learned counsel thus submits that it was from the side of the petitioners, one person got injured in the firing made by the informant, but the informant very wisely implicated all the accused persons.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Mansi P. S. Case No.07 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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