

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4981 of 2022

Arising Out of PS. Case No.-412 Year-2021 Thana- WARISLIGANJ District- Nawada

1. Feku Yadav, (Age-28 years, Gender-Male), S/o Saral Yadav, Resident of Village- Sherpur Balwapar, P.S.- Warisaliganj, District- Nawada.
2. Chandan Kumar, (Age-27 years, Gender-Male), S/o Babulal Yadav, Resident of Village- Sherpur Balwapar, P.S.- Warisaliganj, District- Nawada.
3. Vikash @ Bhishu Kumar @ Bosu Kumar, (Age-20 years, Gender-Male), S/o Karu Yadav, Resident of Village- Sherpur Balwapar, P.S.- Warisaliganj, District- Nawada.
4. Golu Kumar, (Age-18 years, Gender-Male), S/o Ajay Yadav, Resident of Village- Sherpur Balwapar, P.S.- Warisaliganj, District- Nawada.
5. Surendra Yadav, (Age-29 years, Gender-Male), S/o Bhonu @ Bhondu Yadav, Resident of Village- Sherpur Balwapar, P.S.- Warisaliganj, District- Nawada.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Man Mohan Kumar, Advocate
For the Opposite Party : Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-03-2022 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Further, learned counsel for the petitioners is permitted to make necessary correction in paragraph no. 1 of the bail application, in course of the day.



Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application filed on behalf of petitioner no. 1, namely, Feku Yadav, as he has been taken into judicial custody in connection with Warisaliganj P.S. Case No. 412 of 2021, pending in the court of learned Additional Chief Judicial Magistrate-II, Nawada.

Permission is accorded.

Accordingly, the present anticipatory bail application filed on behalf of petitioner no. 1, namely, Feku Yadav, is dismissed as withdrawn.

Heard learned counsel for petitioner nos. 2 to 5 and learned A.P.P. for the State.

Now, the petitioner nos. 2 to 5 are apprehending their arrest in connection with Warisaliganj P.S. Case No. 412 of 2021 for the offence registered under Sections 147, 149, 323, 307, 337, 338 and 353 of the I.P.C.

The prosecution story, in brief, is that the petitioners were teasing the girls in the *Puja Pandal* and when they were stopped, they started throwing the stones by which the police personnel and the local people were injured.

It has been submitted by learned counsel for the petitioner nos. 2 to 5 that they have got no criminal antecedent.



There is no allegation of tampering with the witnesses alleged against them. They have falsely been implicated in the present case. General and omnibus allegation has been made against them. No specific overt act is alleged against them. Due to petty reason, stone pelting had taken place. Their names have transpired in the present case on the basis of disclosure made by local residents. The names of the local residents, who have named the petitioner nos. 2 to 5, have not been disclosed by the prosecution. Except for this, there is no other substantive evidence to suggest their implication in the present case. Altogether 17 named persons alongwith 10-15 unknown persons have been made accused in the present case.

On behalf of the State, it is submitted that the petitioner nos. 2 to 5 are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, (except petitioner no. 1, Feku Yadav) in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-II, Nawada, in connection with



Warisaliganj P.S. Case No. 412 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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