

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7616 of 2022

Arising Out of PS. Case No.-976 Year-2019 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. SAGAR YADAV @ SAGAR KUMAR Son of Jai Prakash Yadav Resident of Mohalla- Jawaripur, P.S.-Tilkamanjhi Out Post, District- Bhagalpur.
 2. BIJAY YADAV @ BIJAY KUMAR YADAV TETAR YADAV Resident of Mohalla- Jawaripur, P.S.- Tilkamanjhi Out Post, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Lalan Kumar

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

ORAL ORDER

2 29-08-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.2 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.2.

In view of the aforesaid submission, the application is dismissed as withdrawn as having become **infructuous as against petitioner no.2.**

Petitioner no. 1 apprehends his arrest for the offences



alleged under Sections 147, 148, 149, 188, 341, 323, 307, 337, 353, 427, 504 and 506 of the Indian Penal Code, registered in connection with Kotwali (Barari) P.S.Case No. 976 of 2019.

As per allegation, at the occasion of immersion of effigy of goddess Kali, an altercation took place between two groups and accused persons also interrupted the police officials in discharge of their duties.

Learned counsel for the petitioners has submitted that the petitioners were not at the spot and he has falsely been implicated. He has submitted further that other co-accused persons were granted anticipatory bail by the court below, but the anticipatory bail of petitioner no.1 was rejected on the ground that he was also an accused in similar nature of case.

Considering the fact that other co-accused persons have been granted anticipatory bail, the same benefit is also extended to petitioner no.1. Accordingly, let petitioner no.1 above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhagalpur in connection with Kotwali (Barari) P.S.Case No. 976 of 2019 (G.R.No. 5080 of 2019), subject to



the conditions as laid down under Section 438(2) Cr. P.C.

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

(Nawneet Kumar Pandey, J)

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