

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18378 of 2021

Arising Out of PS. Case No.-368 Year-2020 Thana- JAMUI District- Jamui

1. GORELAL YADAV @ SHIV NANDAN KUMAR SON OF BAJRANGI YADAV RESIDENT OF VILLAGE - ABHAYPUR, P. O. ABHAYPUR, P. S. JAMUI DIST- JAMUI
2. BIRENDRA YADAV SON OF BASUDEO YADAV RESIDENT OF VILLAGE- ABHAYPUR, P.O- ABHAYPUR. P.S- JAMUI, DIST- JAMUI
3. CHUNNI YADAV SON OF BULESHWAR YADAV RESIDENT OF VILLAGE- ABHAYPUR, P.O- ABHAYPUR, P.S- JAMUI, DIST- JAMUI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Umesh Prasad, APP
For the Informant

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 13-01-2022 At the very outset, it is submitted by learned counsel for the petitioners that during pendency of this application, petitioner no.2 Birendra Yadav has been arrested and, as such, he seeks permission to withdraw this application.

In view of aforesaid submission, this application is dismissed as withdrawn against petitioner no.2, Birendra Yadav.

So far as petitioner nos.1 and 3 are concerned, learned counsel for the petitioners is pressing this application against them.

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



Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 326, 307, 504 and 506/34 of the Indian Penal Code.

It is a case of shot fired by co-accused Shiv Shanker Yadav upon the informant.

It is submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in this case and no specific allegation has been attributed against the petitioner.

Learned APP appearing for the State has opposed the prayer for anticipatory bail.

From perusal of para nos. 30 and 121 of the case diary, it appears that there are bruise and lacerated wound on the lower lip and upper left central teeth broken of the informant as well as there is grievous injury caused by fire arm but not attributed by the petitioner. The specific overt-act of shot firing is against co-accused Shiv Shanker Yadav.

In the facts and circumstances of the case, let the petitioner no.1, namely, Gorelal Yadav and petitioner no.3



Chunni Yadav, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhabhua, Jamui in connection with Jamui P.S. Case No. 368 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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