

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8852 of 2022

Arising Out of PS. Case No.-228 Year-2020 Thana- BUDDHACOLONY District- Patna

1. SURENDRA YADAV Son of Ramashish Rai R/o Mohalla- Chakaram (Sri Krishan, Nagar), P.S.- Budha Colony, Distt- Patna.
2. Narendra Yadav Son of Ramashish Rai R/o Mohalla- Chakaram (Sri Krishan, Nagar), P.S.- Budha Colony, Distt- Patna.
3. Pappu Rai Son of Late jai Kishun Rai R/o Mohalla- Chakaram (Sri Krishan, Nagar), P.S.- Budha Colony, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 10726 of 2022

Arising Out of PS. Case No.-228 Year-2020 Thana- BUDDHACOLONY District- Patna

1. KRISHNA KUMAR SINGH @ KRISHNA RAI SON OF LATE MUNSHI RAI R/O MOHALLA- CHAKARAM (S.K.NAGAR), P.S.- BUDDHA COLONY, DISTRICT- PATNA
2. SUDHIR KUMAR SON OF KRISHNA KUMAR SINGH @ KRISHNA RAI R/O MOHALLA- CHAKARAM (S.K.NAGAR), P.S.- BUDDHA COLONY, DISTRICT- PATNA
3. RAJU KUMAR SON OF KRISHNA KUMAR SINGH @ KRISHNA RAI R/O MOHALLA- CHAKARAM (S.K.NAGAR), P.S.- BUDDHA COLONY, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 8852 of 2022)

For the Petitioner/s : Mr. Rewti Kant Raman

For the Opposite Party/s : Mr. Yogendra Kumar Singh

(In CRIMINAL MISCELLANEOUS No. 10726 of 2022)

For the Petitioner/s : Mr. Saroj Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-08-2022 Heard learned counsel for the petitioners and learned APP



for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 147, 148, 149, 341, 307, 427, 385. 506 of the IPC and 27 of Arms Act.

Allegedly, the the informant was threatened for not continuing with the construction work despite the intervention of the police. On another occasion, it has been alleged that the accused persons tried to intimidate the informant and also opened fire, hitting one person at the construction site.

It is submitted by learned counsel for the petitioners that petitioner are quite innocent and have committed no offence. They have been falsely implicated in this case at the instance of their enemy. There is no specific overt act against the petitioners. The petitioners are the members of the mob. The main allegation of firing is upon accused named Anand Kumar Yadav @ Nandu Yadav. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature.



Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail applications.

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

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioner be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Buddha Colony P.S. Case No. 228 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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