

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21431 of 2021

Arising Out of PS. Case No.-308 Year-2020 Thana- SANDESH District- Bhojpur

1. MUKESH YADAV @ MUKESH KUMAR @ MUKESH KUMAR SINGH SON OF VINESH SINGH @ DINESH KUMAR YADAV RESIDENT OF VILLAGE- DHARAMPUR, P.S. SANDESH, DISTRICT- BHOJPUR
2. SANTOSH YADAV SON OF SHRI RAJKISHOR YADAV RESIDENT OF VILLAGE- DHARAMPUR, P.S. SANDESH, DISTRICT- BHOJPUR
3. SURESH YADAV SON OF LATE SURAJ YADAV RESIDENT OF VILLAGE- DHARAMPUR, P.S. SANDESH, DISTRICT- BHOJPUR
4. SUNIL YADAV SON OF VINESH SINGH @ DINESH KUMAR YADAV RESIDENT OF VILLAGE- DHARAMPUR, P.S. SANDESH, DISTRICT- BHOJPUR
5. RAJ KISHOR YADAV SON OF LATE VILASH YADAV RESIDENT OF VILLAGE- DHARAMPUR, P.S. SANDESH, DISTRICT- BHOJPUR
6. DHANANJAY YADAV SON OF KAMLESH SINGH RESIDENT OF VILLAGE- DHARAMPUR, P.S. SANDESH, DISTRICT- BHOJPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Pandey, Advocate
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 12-01-2022 Heard Mr. Anant Kumar Pandey, learned Advocate for the petitioner and the learned APP for the State.

Mr. Pandey, seeks permission to withdraw the application with respect to petitioners no. 3 and 6 (Suresh Yadav and Dhananjay Yadav respectively), who have been arrested during the pendency of this petition.

The application with respect to petitioners no. 3



and 6 is dismissed as withdrawn as having become infructuous.

The petitioners no. 1, 2, 4 and 5 seek bail in anticipation of their arrest in connection with Sandesh P.S. Case No. 308 of 2020 dated 30.10.2020 instituted for the offences under Sections 147, 148, 149, 504, 506, 379 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

51 persons have been named including the petitioners with the allegation of assaulting the informant and his other associates.

Learned counsel for the petitioners has submitted that there is no specific overt act attributed to the petitioners. Except for their being members of the mob, they are not specifically alleged to have done anything.

The injury suffered by the informant is not attributable to them but to one Chintesh Yadav, one of the accused persons of this case, who has filed the counter version of the occurrence *vide* Sandesh P.S. Case No. 306 of 2020 in which the informant of the present case and others have been made accused.

Both sides have received injuries in the clash.

Considering the aforementioned submissions on behalf of the petitioners no. 1, 2, 4 and 5, they are



directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Bhojpur at Ara in connection with Sandesh P.S. Case No. 308 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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