

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15918 of 2022

Arising Out of PS. Case No.-398 Year-2021 Thana- MOHANIYA District- Kaimur (Bhabua)

1. RAVI KUMAR @ RAVI YADAV S/o Jagropan Yadav R/o village- Muri, P.S.- Darigaw, District- Rohtas at Sasaram
2. GOLDEN YADAV @ GOLDEN KUMAR S/o Rajendra Yadav R/o village- Pipari, P.S.- Shivsagar, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-08-2022 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, 323, 307, 379, 504 of the Indian Penal Code and section 25(1-b)a/27 of the Arms Act.

Allegedly, the petitioners alongwith other co-accused persons entered into the hotel of the informant and took away



Rs. 10,000/- and a gold chain from the cash box. When the informant resisted, the accused persons fired at him and another co-accused including the petitioners attacked the informant by lathi and danda. The informant has further alleged that in the occurrence his brother and father got severally injured.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. There is a case and counter-case between the parties. In the alleged occurrence both sides sustained injuries and the injuries are grievous in nature. Petitioners have no criminal antecedent, as also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, since there is a case and counter case between the parties and both sides sustained grievous injuries, let the above named petitioners 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 Mohania P.S. Case
No.398 of 2021, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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