

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16402 of 2022

Arising Out of PS. Case No.-47 Year-2020 Thana- SARE District- Nalanda

1. GOPI YADAV Son of Late Tuna Yadav Resident of village - Gilani, P.S.- Sare, District - Nalanda.
2. Bijo Yadav Son of Suraj Yadav Resident of village - Gilani, P.S.- Sare, District - Nalanda.
3. Lallu Yadav Son of Gopi Yadav Resident of village - Gilani, P.S.- Sare, District - Nalanda.
4. Nago Yadav Son of Late Ramu Yadav Resident of village - Gilani, P.S.- Sare, District - Nalanda.
5. Nawal Yadav Son of Dhuri Yadav Resident of village - Gilani, P.S.- Sare, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nilesh Kumar, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 21-09-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioners have antecedents as detailed in Paragraph-3 of the anticipatory bail application and the informant alleges that when



her husband was returning after irrigating his field at 8 AM, 23 accused persons, including the petitioners, intercepted him and Bijoy Yadav ordered to kill the husband of the informant on which he was surrounded by the accused persons and Gopi Yadav fired at the victim but missed, and Lalu Yadav fired causing injury on head of informant's husband and thereafter it is alleged that Nago Yadav also fired indiscriminately.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, as far as allegation against Bijoy Yadav is concerned, he is alleged to be an order giver and as far as Nago Yadav is concerned, he is alleged to have fired indiscriminately but then there is no injury, it is also submitted that the injury suffered by the injured is simple in nature caused by hard and blunt substance, there is no firearm injury, it is also submitted that the informant realizing his mistake has filed a compromise petition in the learned trial court.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sare P.S. Case No. 47 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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