

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18269 of 2022

Arising Out of PS. Case No.-426 Year-2020 Thana- BIHIA District- Bhojpur

SANTOSH KUMAR @ SANTOSH YADAV Son of Ram Agya Yadav
Resident of Village - Niranpur, P.O.- Katea, P.s.- Bihiya, Distt.- Bhojpur
-802152

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akshay Lal Pandit, Adv Mr. Brijendra Kumar, Adv Mr. Rajesh Kumar, Adv
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner 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 petitioner apprehends his arrest in a case registered for the offence punishable under section 147, 149, 341, 323, 307, 325, 379, 504 and 506 of Indian Penal Code.

Allegedly, due to pathway dispute a Panchayati was being held near the house of one Sheo Kumar Yadav, the



petitioner alongwith other co-accused persons assaulted the villagers assemble there by means of deadly weapons due to which they sustained injuries.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case due to dirty village politics. 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. There is no specific overt act against the petitioner. Petitioner is a member of the mob and the specific overt act is against Baiju Yadav, Kundi Yadav and Ashok Yadav. Petitioner has 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 no specific overt act against the petitioner, let the above named petitioner be released on bail, in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in Bihiya P.S.
Case No.426 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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