

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28272 of 2021

Arising Out of PS. Case No.-133 Year-2019 Thana- BIHRA District- Saharsa

1. GANESH YADAV S/o Late Kailu Yadav R/o village- Sattar, P.S.- Bihra, District- Saharsa
2. Inardeo Yadav S/o Late Dholan Yadav R/o village- Sattar, P.S.- Bihra, District- Saharsa
3. Surendra Yadav S/o Shaini Yadav @ Shaini Prasad Yadav R/o village- Sattar, P.S.- Bihra, District- Saharsa

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pramod Mishra , Advocate
For the Opposite Party/s	:	Mr. Ajay Kumar No.2, APP
For the Informant	:	Mr. Chandra Mohan Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioners, learned counsel for the Informant and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defect(s) as pointed out by the office when called upon to do so by the office.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the petition against petitioner no.3, namely, Surendra Yadav.

Permission is accorded.

Accordingly, this petition is dismissed as withdrawn



in respect of petitioner no.3, namely, Surendra Yadav.

So far petitioner nos.1 and 2 are concerned, they are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 379, 354, 504 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is a case of assault upon the informant and other family members by the petitioners and other accused persons by means of firearm and other weapons.

It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case. He further submits that there is no specific allegation of assault against the petitioners and specific allegation of assault is against petitioner no.3, namely, Surendra Yadav. He further submits that the final form has been submitted against the petitioners but cognizance has been taken by the court below itself.

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

In the facts and circumstances of the case, let the petitioner no.1, namely, Ganesh Yadav and petitioner no.2, namely, Inardeo Yadav, in the event of their arrest or surrender



before the court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Bihra P.S. Case No. 133 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

brajesh kumar/-

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