

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19073 of 2022

Arising Out of PS. Case No.-603 Year-2021 Thana- MADHEPURA District- Madhepura

1. ARJUN YADAV Son of Bhupendra Yadav Resident of Village - Ghopa, Ward No.- 11, P.S.- Madhepura (Parmanandpur O.P.), District - Madhepura
2. Abhishek Kumar Son of Sahindra Yadav Resident of Village - Ghopa, Ward No.- 11, P.S.- Madhepura (Parmanandpur O.P.), District - Madhepura
3. Manish Kumar Son of Jugeshwar Yadav Resident of Village - Ghopa, Ward No.- 11, P.S.- Madhepura (Parmanandpur O.P.), District - Madhepura
4. Sanjeev Kumar @ Tentu Son of Jugeshwar Yadav Resident of Village - Ghopa, Ward No.- 11, P.S.- Madhepura (Parmanandpur O.P.), District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Pranav Kumar Jha, Advocate
For the Opposite Party/s :	Mr. Pramod Mishra
	Mr. Suraj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-09-2022 Heard learned counsel for the petitioners, learned counsel for the informant 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, 149, 323, 307, 506 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

The informant alleges that on 27.07.2021 at about 1:45 am, he along with his wife was sleeping inside the room when the accused persons, including the petitioners, came carrying firearm and on orders of Bhupendra Yadav and



Sahindra Yadav, the other accused persons took the informant outside his house and thereafter it is alleged that Jugeshwar Yadav and Sanjeev Kumar @ Tentu caught hold of the informant's wife and asked her not to raise alarm and thereafter on orders of Bhupendra Yadav and Sahindra Yadav, Premasagar fired from his firearm which hit the informant on his left hand causing injury and when the family members and villagers assembled, the accused persons fled away by firing in the air.

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and have been falsely implicated in the present case, it is next submitted that no overt act has been alleged against the petitioners though the informant has alleged that while fleeing they also fired in the air but then, during the course of investigation no empty cartridges were recovered from the place of occurrence.

Learned A.P.P. for the State and learned counsel for the informant oppose the prayer for anticipatory bail of the petitioners but are not able to meet the submissions of the learned counsel for the petitioners that allegations are general and omnibus in nature, no one was injured in the firing alleged to have been made by the petitioners and that empty cartridges were not recovered from the place of occurrence.



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 Madhepura P.S. Case No. 603 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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