

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31543 of 2021

Arising Out of PS. Case No.-123 Year-2020 Thana- ROH District- Nawada

1. PANKAJ KUMAR Son of Krishna Yadav Resident of Village- Mahkar, P.S.- Roh, District- Nawada.
2. Pintu Kumar @ Pintu Yadav Son of Gajju Yadav Resident of Village- Mahkar, P.S.- Roh, District- Nawada.
3. Nagina Yadav Son of Janudhari Yadav Resident of Village- Mahkar, P.S.- Roh, District- Nawada.
4. Sakendra Yadav Son of Banbari Yadav Resident of Village- Mahkar, P.S.- Roh, District- Nawada.
5. Krishna Yadav @ Krishna Kumar Son of Late Rameshwar Yadav Resident of Village- Mahkar, P.S.- Roh, District- Nawada.
6. Niwash Yadav @ Subhash Yadav Son of Late Mohan Yadav Resident of Village- Mahkar, P.S.- Roh, District- Nawada.
7. Sanjay Yadav @ Sanjay Prasad Yadav Son of Janudhari Yadav Resident of Village- Mahkar, P.S.- Roh, District- Nawada.
8. Vikash Yadav @ Vikash Son of Janudhari Yadav Resident of Village- Mahkar, P.S.- Roh, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar
For the Opposite Party/s : Mr. Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 5 12-07-2022 Heard learned counsel for the petitioner and the State.
- The petitioners apprehend their arrest in a case Patna registered for the offence under Sections 147, 148, 149, 341, 323, 504, 506, 380 of the Indian Penal Code and Section 27 of the Arms Act.
- As per the prosecution case, all the F.I.R. named accused persons including petitioners committed loot in the house of informant.



It is submitted on behalf of petitioners that petitioners have been falsely implicated in this case and no such occurrence has taken place. It is submitted that specific accusation is against co-accused, Chhotu, who ordered to kill, and thereafter co-accused, Deepak fired from his pistol. Present case is counter blast of the case filed from the petitioners' side, vide Roh P.S. Case No. 118 of 2020. As per F.I.R. itself, the alleged date of occurrence is 04.08.2020, but F.I.R. was lodged after a delay of four days i.e. on 08.08.2020 and there is no plausible explanation of delay. Petitioners have clean antecedent.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

Considering the nature of accusation and clean antecedent of petitioners, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on 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 J.M. 1st Class, Patna Nawada in connection with Roh P.S. Case No. 123 of 2020, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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