

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24539 of 2022

Arising Out of PS. Case No.-692 Year-2017 Thana- KHAGARIA District- Khagaria

1. BANSHLAL YADAV S/o Late Sahdev Yadav Resident of Village- Baluahi, Ward No.26, Khagaria, P.S.- Khagaria, Dist- Khagaria.
2. Harikishore Yadav S/o Late Bhagwan Yadav Resident of Village- Baluahi, Ward No.26, Khagaria, P.S.- Khagaria, Dist- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-11-2022 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, 149, 504, 506 and 307 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 07.10.2017, when he reached home, he came to know that his cousin brother was assaulted by Nilesh again, further the accused persons, including the petitioners, again came to his house and started breaking the door of his house and



on alarm when people gathered, the accused persons fled away leaving their motorcycle.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that police after investigation submitted Final Form No. 89 of 2018 dated 28.02.2018 in favour of the petitioners but the learned trial court differing with the police report took cognizance, it is next submitted that one investigating agency has found the petitioners to be innocent and on the other hand, based on the same material, the learned trial court has taken cognizance in a mechanical manner.

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 Court below 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 court below where the case is pending/successor court in connection with Khagaria P.S. Case No. 692 of 2017 subject to the conditions as laid down



under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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