

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46152 of 2021

Arising Out of PS. Case No.-361 Year-2020 Thana- WAJIRGANJ District- Gaya

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1. KAILA YADAV @ VIKRAM KUMAR Son of Ramautar Yadav Resident of Village- Lakhaun, P.S.- Wazirganj in the District of Gaya.
 2. Mithlesh Yadav Son of Yaddu Yadav Resident of Village- Lakhaun, P.S.- Wazirganj in the District of Gaya.
 3. Uday Yadav Son of Gorakia Yadav Resident of Village- Lakhaun, P.S.- Wazirganj in the District of Gaya.
 4. Vikash Yadav @ Vikash Kumar Son fo Late Anil Yadav Resident of Village- Kanavdi, P.S.- Wazirganj in the district of Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Nandan Kumar Tiwary

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 17-02-2022 Heard the learned counsel for the petitioners

and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Wazirganj P.S. Case No. 361 of 2020 instituted for the offences under Sections 147, 148, 149, 323, 307, 302, 504, 506 and 324 of the Indian Penal Code.

The petitioners and others are said to have assaulted the members of the prosecution party which



ultimately led to the death of one Badri Yadav, who is the father of informant. Four other persons are said to have been injured.

The learned counsel for the petitioners has drawn the attention of this Court to the accusation made in the F.I.R., in which there is no specific accusation against anyone of the accused persons much less the petitioners. It has further been submitted that there is an admitted long standing dispute between the parties and, therefore, the possibility of falsely implicating the petitioners also cannot be ruled out.

These reasons do not weigh with this Court for grant of anticipatory bail to the petitioner especially in view of the accusation levelled in the F.I.R. of the petitioners and several others having assaulted the deceased and other injured person of this case.

The occurrence is said to have been witnessed by the son of the deceased.

The prayer for anticipatory bail of the petitioners, is thus, rejected.



However, if the petitioners surrender before the Court below and seek bail, all the above noted grounds shall be taken into account and an order shall be passed by the court below without being prejudiced by the fact that the present petition on their behalf has not been entertained.

(Ashutosh Kumar, J)

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