

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.38536 of 2022**

Arising Out of PS. Case No.-39 Year-2018 Thana- NATHNAGAR District- Bhagalpur

1. SAURAV KUMAR YADAV Son of late Sukhnandan Yadav Resident of Village - Karela, Naya tola Bairiya, P.S. Madhusudanpur Nathnagar and District - Bhagalpur.
2. Lalan Kumar @ Lalu Yadav Son of Late Dinesh Yadav Resident of Village Naya tola Mirjapur, P.S. Madhusudanpur Nathnagar and District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madan Mohan  
For the Opposite Party/s : Mr. Rina Sinha

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      06-12-2022                      Heard learned counsel for the petitioners and learned  
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Madhusudanpur P.S. Case no. 39 of 2018 instituted for the offence punishable under Sections 147, 148, 149, 307, 353 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, acting on a tip off, police party proceeded towards Karela village where several FIR named accused persons and some other unknown persons opened fire upon police personnel and they hurled bombs near the place of occurrence. When police party tried to apprehend



they, they fled away taking the advantage of darkness and fog. On search, empty cartridges and remains of bombs were recovered from the place of occurrence.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They got no criminal antecedent. Due to high handedness of police, name of the petitioners were dragged in the present case. No one has sustained injury in the alleged incident. General and omnibus allegation has been levelled against the petitioners, who are simply the member of mob. Neither the petitioners were arrested nor any incriminating article has been recovered from their possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Madhusudanpur P.S. Case no. 39 of 2018, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the



like amount each to the satisfaction of learned ACJM-I,  
Bhagalpur subject to the conditions as laid down under section  
438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sushma/-

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