

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47957 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- MUFFASIL District- Aurangabad

1. Bhola Yadav @ Amarnath Yadav S/O Late Shiv Nandan Yadav R/O Village-Ora, P.S.-MUFFASIL, District-Aurangabad, Bihar.
2. Bhesh Narayan Yadav S/O Late Shiv Nandan Yadav R/O Village-Ora, P.S.-MUFFASIL, District-Aurangabad, Bihar.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Santosh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-05-2022 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is directed to
remove the defect(s), as pointed out by the Office, within a
period of four weeks.

The petitioners are apprehending their arrest in a case
registered under Sections 341, 504, 506, 307, 120(B) of the
Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the accused
persons, variously armed, fired which hit brother of informant
due to which he sustained injury. The accused persons also
threatened to take back the cases lodged by informant against



petitioner no. 1.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The names of the petitioners have transpired on the basis of disclosure made by the co-accused. Except for this, there is no other substantive evidence to suggest the implication of the petitioners in the present case. There is no allegation of assault alleged against these petitioners. From perusal of F.I.R., it appears that no offence under Section 307 IPC is made out against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory 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 Chief Judicial Magistrate, Aurangabad in connection with Muffasil P.S. Case No. 158 of 2021, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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