

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54572 of 2021**

Arising Out of PS. Case No.-289 Year-2020 Thana- BIRAUL District- Darbhanga

1. SANJAY YADAV S/o Shri Laxmi Yadav Resident of Village- Natolia Sher, P.S.- Bahedi, District- Darbhanga.
2. Kiran Yadav @ Kishan Kumar Yadav Son of Chandra Narayan Yadav Resident of Village- Natolia Sher, P.S.- Bahedi, District- Darbhanga.
3. Surendra Yadav S/o Late Dunilal Yadav Resident of Village- Barahi, P.S.- Biraul, District- Darbhanga.
4. Amit Yadav @ Amit Kumar Yadav S/o Ganga Prasad Yadav Resident of Village- Barahi, P.S.- Biraul, District- Darbhanga.
5. Nitish Yadav S/o Ganga Prasad Yadav Resident of Village- Barahi, P.S.- Biraul, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                            |                                      |
|----------------------------|--------------------------------------|
| For the Petitioner/s :     | Mr.Syed Ashfaque Ahmad, Advocate     |
| For the Opposite Party/s : | Mr.Ram Priya Sharan Singh, APP       |
|                            | Mr.Dharmendra Kumar Paswan, Advocate |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      22-06-2022      Heard learned counsel for the petition, learned counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 307, 325, 504 of the IPC and section 27 of the Arms Act and section 4/5 of Explosives Substance Act.

Allegedly, the FIR named accused persons including the



petitioners were indulged in abusing, blasting bombs and firing towards the family members of the informant. They also assaulted the family members of the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to village politics and prior enmity. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. It is submitted that for the alleged occurrence, there is a case and counter-case between the parties and both sides have sustained injuries. Petitioners have no criminal antecedent.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, considering that there is case and counter-case between the parties and both sides have sustained injuries, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Biraul P.S. Case No.289 of 2020, subject to the conditions  
as laid down under Section 438(2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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