

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52744 of 2021

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

1. PAWAN YADAV@ PAWAN KUMAR YADAV SON OF SHRI LAXMI YADAV RESIDENT OF VILLAGE - NATOLIA SHER, P.S- BAHEDI , DIST- DARBHANGA
2. VIDYANAND YADAV SON OF LATE GANPATI YADAV RESIDENT OF VILLAGE- BARAHI, P.S- BIRAUL, DIST- DARBHANGA
3. MAHENDER YADAV SON OF LATE DUNILAL YADAV RESIDENT OF VILLAGE- BARAHI, P.S- BIRAUL, DIST- 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.Aditya Narayan Singh.1, APP
Mr.Dharmendra Kumar Paswan, Advocate

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 22-06-2022 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State.

Vide order dated 10.05.2022, the prayer for grant of anticipatory bail made on behalf of the petitioner no.2 namely Vidyanand Yadav was withdrawn, as such, today, the matter is being heard for consideration of anticipatory bail on behalf of the petitioner nos. 1 and 3.

The petitioner nos.1 and 3 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. Petitioner no.1 has no criminal antecedent while petitioner no.3 has one 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 petitioner nos.1 and 3, 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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