

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44665 of 2022

Arising Out of PS. Case No.-93 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

Yogendra Yadav @ Yogeshwar Yadav Son of Late Satto Yadav @ Patto Yadav
Resident of village - Gopalpur, P.S.- Industrial, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 32251 of 2022

Arising Out of PS. Case No.-93 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

Rajiv Yadav @ Rajeev Kumar Yadav S/o Late Ratan Yadav Resident of
Village- Gopalpur, P.S.- Industrial Area, District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 45313 of 2022

Arising Out of PS. Case No.-93 Year-2021 Thana- INDUSTRIAL District- Bhagalpur

Arbind Yadav @ Koko Yadav S/O Kadar Yadav @ Kedar Yadav Resident of
village- Gopalpur, P.S.- Industrial area, District- Bhagalpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 44665 of 2022)

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

(In CRIMINAL MISCELLANEOUS No. 32251 of 2022)

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

(In CRIMINAL MISCELLANEOUS No. 45313 of 2022)

For the Petitioner/s : Mr. Swapnil Kumar Singh, Adv.

For the Opposite Party/s : Mr. A.G., APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 23-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioners and learned

A.P.Ps. for the State through virtual mode.

The petitioners seek regular bail in connection with Industrial Area P.S. Case No. 93 of 2021 lodged under Sections 147, 149, 341, 323, 324, 337, 338, 332, 333, 307, 353 of the I.P.C.

As per the prosecution case, the police party went in the village for verification of recovery of a blue color motorcycle which was kept in a lane at about 7 PM in the darkness. Some people attacked to police party with iron rod, hockey stick, knife and stones etc. The allegation has been made that one person has injured the Sipahi Kuldeep Yadav and another persons were also injured. The local villagers have disclosed the name of 11 accused persons including the present petitioners.

Learned counsel for the petitioners submits that there is no specific allegation against any of the accused persons. The police has filed this case with ulterior motives. He submits that petitioner of first case(Cr. Misc. No.44665 of 2022) has clean antecedent and he is in custody since 02.04.2022. Learned counsel submits that petitioner of Second case(Cr. Misc. No.32251 of 2022) has clean antecedent and he is in custody since 02.04.2022. The antecedent of petitioner of third case(Cr. Misc. No. 45313 of 2022) is not clean, in one case he is on bail and in another cases, he has been acquitted. He is in custody since 13.05.2022.

Learned counsel for the petitioners submits that some of the co-accused persons having similar allegations have been granted anticipatory bail by the Co-ordinate Bench of this court vide order dated 25.07.2022 passed in Cr. Misc. No. 303 of 2022 and 25.05.2022 passed in Cr. Misc. No. 69451 of 2021 whereas the petitioners are in regular bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioners above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bhagalpur in connection with Industrial Area P.S. Case No. 93 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail applications stand allowed.

(Dr. Anshuman, J.)

prakashmani/-

U		T	
---	--	---	--