

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57250 of 2021

Arising Out of PS. Case No.-458 Year-2019 Thana- SUPAUL District- Supaul

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1. MAHENDRA YADAV S/O NATAI YADAV R/o village- Ganesh Tola, P.S.- Supaul (Laukaha O.P.), Distt.- Supaul
 2. Jaishankar Yadav @ Jay Shankar Kumar Yadav S/o Mahendra Yadav R/o village- Ganesh Tola, P.S.- Supaul (Laukaha O.P.), Distt.- Supaul
 3. Ramshankar Yadav @ Ramshankar Kumar S/o Mahendra Yadav R/o village- Ganesh Tola, P.S.- Supaul (Laukaha O.P.), Distt.- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar
		Mr. Binod Kumar Sinha
For the Opposite Party/s	:	Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 06-09-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner nos. 1 and 2 have been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner nos. 1 and 2.

In view of the aforesaid submission, the application is **dismissed as withdrawn as having become infructuous as**



against petitioner nos.1 and 2.

Petitioner no. 3 apprehends his arrest for the offences alleged under Sections 147, 148, 149, 307, 332, 333, 353, 341, 323, 427, 504 and 506 of the Indian Penal Code and Section 3/4 of Damage to Public Property Act, registered in connection with Supaul (Laukaha O.P.) P.S.Case No. 458 of 2019.

As per allegation, the frenzied mob including the FIR named accused persons attacked the police party. They dismantled the furniture of the outpost and also assaulted the police personnel.

Learned counsel for the petitioners has submitted that petitioner no.3 is innocent. He was not at the spot. He is a Teacher in Mumbai. He has submitted further that none has sustained any kind of injury.

Considering the above facts and circumstances, let petitioner no. 3 above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul (Laukaha O.P.) P.S.Case No. 458 of 2019, subject to the conditions as laid down under



Section 438(2) Cr. P.C.

At the time of his surrender, he shall file an affidavit before the court below that he is a teacher in Mumbai.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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