

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63234 of 2021

Arising Out of PS. Case No.-20 Year-2021 Thana- MAGADH UNIVERSITY District- Gaya

1. SURENDRA YADAV Son of Vijay Yadav @ Bijali R/o Village - Dadpur, P.S. Magadh University, District - Gaya.
2. RAJESH KUMAR @ RAJESH YADAV Son of Vijay Yadav @ Bijali R/o Village - Dadpur, P.S. Magadh University, District - Gaya.
3. DHARMENDRA YADAV S/o Birju Yadav R/o Village - Dadpur, P.S. Magadh University, District - Gaya.
4. PARSHURAM KUMAR @ PASURAM KUMAR S/o Jitendra Yadav @ Nepali R/o Village - Dadpur, P.S. Magadh University, District - Gaya.
5. SHANKAR YADAV S/o Late Bachu Yadav R/o Village - Dadpur, P.S. Magadh University, District - Gaya.
6. NIRANJAN YADAV S/o Kesho Yadav R/o Village - Dadpur, P.S. Magadh University, District - Gaya.
7. CHANDAN YADAV S/o Kesho Yadav R/o Village - Dadpur, P.S. Magadh University, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr. Shailendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 20-07-2022 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 no.2 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission



to withdraw this application as against petitioner no.2.

In view of the aforesaid submission, the application is dismissed as withdrawn as **having become infructuous as against petitioner no 2.**

Petitioner nos. 1, 3, 4, 5, 6 and 7 apprehend their arrest for the offences alleged under Sections 147, 148, 149, 448, 307 and 506 of the Indian Penal Code and Section 27 of the Arms Act, registered in connection with Magadh University P.S.Case No. 20 of 2021.

Heard the learned counsel for the as well as Mr. Shailendra Kumar, learned APP for the State.

As per allegation, when the informant was proceeding by his car, his vehicle was intercepted by putting log on the road. 10 accused persons named in the FIR started assaulting his vehicle. The further allegation is that accused persons opened indiscriminate fire and they also pelted stones etc. They asked the informant to vacate the disputed land.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have not committed any offence and have falsely been implicated. There is admittedly land dispute between the parties. He has submitted further that though there is allegation of firing, but none has sustained any



kind of injury.

Considering the above facts and circumstances, let petitioner nos. 1, 3, 4, 5, 6 and 7, above-named, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Smt. Neha Tripathi, J.M. 1st Class, Gaya in connection with Magadh University P.S., Case No. 20 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

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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