

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10098 of 2021

Arising Out of PS. Case No.-75 Year-2020 Thana- GHOGHARDIHA District- Madhubani

1. JIMEDAR JADAV @ JAMIDAR YADAV S/O YUGESHWAR YADAV
RESIDENT OF VILLAGE BANARJHULA, P.S GHOGHARDIHA,
DISTRICT-MADHUBANI.
2. MANU KUMAR YADAV @ SURENDRA YADAV S/O JIMEDAR
YADAV @ JAMIDAR YADAV RESIDENT OF VILLAGE
BANARJHULA, P.S GHOGHARDIHA, DISTRICT-MADHUBANI.
3. BIRENDRA KUMAR YADAV @ BIRENDRA YADAV S/O LAL BABU
YADAV RESIDENT OF VILLAGE BANARJHULA, P.S
GHOGHARDIHA, DISTRICT-MADHUBANI.
4. LAL BABU YADAV S/O YUGESHWAR YADAV RESIDENT OF
VILLAGE BANARJHULA, P.S GHOGHARDIHA, DISTRICT-
MADHUBANI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Shubham
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-02-2022 Heard Mr. Manish Kumar No. 13, learned Advocate

for the petitioner and learned APP for the State.

The learned advocate for the petitioner seeks

permission to withdraw the application with respect to

petitioner no. 1, who has been arrested during the pendency

of this application.

The petition with respect to petitioner no. 1 is

dismissed as having become infructuous.



The petitioner nos. 2, 3 and 4 seek bail in anticipation of their arrest in connection with Ghoghardiha P. S. Case No. 75 of 2020, dated 21.05.2020, instituted for the offences under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act, 1959.

The accusation against the petitioner nos. 2 and 4 is of opening fire with their respective weapons though over a trivial issue which has resulted in pellet injuries to a couple of persons. Except for petitioner nos. 2 and 4, no other person has been specifically alleged to have opened fire.

However, regard being had to the fact that the fire arms have been used in the occurrence which relate to injuries on some of the victims, I am not inclined to grant anticipatory bail to the petitioners, notwithstanding the fact that the petitioner no. 3 is not specifically alleged to have opened fire and there is a counter version of the occurrence.

The prayer for anticipatory bail is rejected.

However, if the petitioners surrender before the court below and seeks bail, all the grounds shall be taken



into account and an order shall be passed in accordance with
law, without being prejudiced by the fact that this petition
has not been entertained on their behalf.

(Ashutosh Kumar, J)

skm/-

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

