

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.65678 of 2021**

Arising Out of PS. Case No.-349 Year-2020 Thana- KASIMBAZAR District- Munger

1. PRAMOD YADAV Son of Late Brahmdeo Yadav Resident of Village- Sandalpur, P.s.- Kasim Bazar, District- Munger.
2. UTTAM YADAV @ UTTAM KUMAR YADAV Son of Late Brahmdeo Yadav Resident of Village- Sandalpur, P.s.- Kasim Bazar, District- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                                |
|--------------------------|---|--------------------------------|
| For the Petitioner/s     | : | Mr. S.K. Lal, Advocate         |
|                          |   | Mr. Narsingh Tanti, Advocate   |
| For the Opposite Party/s | : | Mr. Satyendra Prasad, APP      |
| For the Informant        | : | Mr. Jyoti Ranjan Jha, Advocate |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
ORAL ORDER

3      16-08-2022                      Heard learned counsel for the petitioners and the learned A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defects, as pointed out by the office, within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

The petitioners apprehend their arrest in Kasim Bazar P.S. Case No. 349/2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325 & 504 of the Indian Penal Code and Section 27 of the Arms Act.

While the son of the informant was at his door both



these petitioners along with other co-accused as said to have come at his door armed with rifles and guns and petitioner no.1-Pramod Yadav assaulted him by butt of his rifle.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature.

Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

Having regard to the facts and circumstances of the case, let petitioner no.2-Uttam Yadav @ Uttam Kumar Yadav, 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 lower Court where the case is pending/successor Court in connection with Kasim Bazar P.S. Case No.349 of 2020 subject to the condition as laid down under Section 438 (2) of the Cr.P.C.



As there is direct allegation against petitioner no.1- Pramod Yadav, I am not inclined to enlarge petitioner no.1 on anticipatory bail. The prayer for anticipatory bail of the petitioner no.1 is hereby rejected. However, petitioner no.1 is directed to surrender before the learned Court below within six weeks from today and seek regular bail and the learned Court below would pass order in accordance with law without being prejudiced by this order.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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