

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66563 of 2021

Arising Out of PS. Case No.-698 Year-2020 Thana- SUPAUL District- Supaul

1. Jayram Yadav @ Jay Jayram Yadav Son Of Late Thako Prasad Yadav
Resident Of Village- Ward No 16, Punarwas, P.S- Supaul, Dist- Supaul
2. Ganga Yadav @ Ganga Ram Yadav Son Of Late Thako Prasad Yadav
Resident Of Village- Ward No 16 Kharail, Punarwas, P.S- Supaul, Dist-
Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate
For the Opposite Party/s : Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 26-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have antecedent of one case. It is alleged that informant and his brother had stayed in the night in the house of one Pradeep Yadav where the informant alleges that in the night he heard some sound and when he woke up he saw the accused persons, including the petitioners, were trying to kill his brother and when they saw him they tide him also but he somehow



managed to escape from the place of occurrence and came to the village and informed and thereafter when they went to the place of occurrence, the dead body of the brother of the informant was not found.

Learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R. it would manifest that the allegations are inherently improbable and patently absurd and at the same time, it is cryptic and vague also. It is further submitted that it absolutely does not stand to reason that if what has been alleged by the informant is true then definitely the accused persons would not have allowed the petitioner to flee from the place of occurrence more so when he was tied by them. It is also submitted that police after investigation submitted Final Form No. 1 of 2021 dated 01.01.2021 in favour of the petitioner and the learned court below differing with the police report in a mechanical manner took cognizance of the order.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Supaul P.S. Case No. 698 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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