

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67446 of 2021

Arising Out of PS. Case No.-293 Year-2019 Thana- JAMUI District- Jamui

-
1. PRAMOD YADAV S/O KAPIL YADAV R/o village- Chandwara, P.S. and District- Jamui
 2. Anil Yadav S/o Bano Yadav R/o village- Chandwara, P.S. and District- Jamui
 3. Pawan Yadav @ Sarhalu Yadav S/o Jawahar Yadav R/o village- Chandwara, P.S. and District- Jamui
 4. Ghano Yadav S/o Prayag Yadav R/o village- Manjhway, P.S. and District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

At the very outset, learned counsel for the petitioners seeks permission to withdraw the prayer for anticipatory bail of the petitioner nos.1 and 4, as they have already been arrested.

Permission is granted.



Accordingly, the prayer for anticipatory bail made through the instant application, on behalf of the petitioner nos.1 and 4 is dismissed as withdrawn.

Now, the present application is being heard for consideration of anticipatory bail on behalf of the petitioner nos.2 and 3.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 353, 224, 225, 332, 333, 186, 379, 337, 338, 504, 506 of the IPC.

The prosecution case in brief is that the informant along with other police officials stopped a tractor/trailer loaded illegally but 100-150 persons threatened them. In the mean time, all the accused including the petitioners tried to snatch the arms of police force and they started pelting bricks and stone upon them. Then, all the accused 100-150 in number took the illegally loaded tractor of sand and abused the police.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case at the instance of their enemies. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is



not specific rather general and omnibus in nature. The injuries are simple in nature and no any injury is on the vital part of the body. It is submitted that on the alleged date of occurrence, the petitioners were not present on the spot. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since there is no specific overt act against the petitioners, let the above named petitioner nos.2 and 3, 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 court below where the case is pending/Successor Court in connection with Jamui P.S. Case No.293/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

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

