

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70358 of 2021**

Arising Out of PS. Case No.-63 Year-2021 Thana- BISFI District- Madhubani

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1. NAGESHWAR YADAV S/o Late Chhote Yadav @ Chhote Lal Yadav R/o village- Bisfi Diha, P.S.- Bisfi, District- Madhubani
  2. Chandan Kumar Yadav @ Chandan Kumar S/o Nageshwar Yadav R/o village- Bisfi Diha, P.S.- Bisfi, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr.A.PP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      19-07-2022                      Heard learned counsel for the petitioners and learned  
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bisfi P.S. Case no. 63 of 2021 instituted for the offence punishable under Sections 147, 148, 149, 307, 323, 324, 379, 380 and 427 of the Indian Penal Code.

As per allegation in the FIR, several accused persons including the petitioner after forming an unlawful assembly with deadly weapons in their hands reached on the construction site of the complainant and started to create nuisance. Co-accused Kameshwar Yadav pushed the father of the complainant and



ordered to kill him then Ram Chandra Yadav and several co-accused assaulted him with iron road, fists and slaps. When his family members came there to rescue him, they were also beaten up by the accused persons.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. There is no specific allegation of assault against the petitioners. They are only the members of mob. Specific allegation is against co-accused Kameshwar Yadav. There is case and counter case. Members of both sides have received injuries in the alleged incident. It is further submitted that several accused persons have been granted anticipatory bail by the learned lower court.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bisfi P.S. Case no. 63 of 2021, they will be enlarged on bail on furnishing bail bond of Rs.



10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM 1<sup>st</sup>, Benipatti, Madhubani subject to the conditions as laid down under section 438(2) of the Cr.P.C.

**(Sunil Kumar Panwar, J)**

sushma/-

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