

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.2773 of 2023**

Arising Out of PS. Case No.-232 Year-2022 Thana- HISUWA District- Nawada

1. Baliram Kumar Yadav @ Baliram Kumar @ Sant Yadav Son Of Prabhu Prasad Yadav @ Prabhu Yadav Resident Of Village- Chitarghati, Majhwe, P.S.- Hisua, District- Nawada
2. Santosh Kumar Son Of Late Sukhadeo Yadav Resident Of Village- Majhwe, P.S.- Hisua, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

|                          |   |                          |
|--------------------------|---|--------------------------|
| For the Petitioner/s     | : | Mr. Manoj Kumar Pandey   |
|                          | : | Mrs. Kumari Pallavi      |
| For the Opposite Party/s | : | Mr. Awadhesh Kumar Singh |

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

2      04-05-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 504, 506 and 353/34 of the Indian Penal Code pending in the learned court below.

As per the prosecution case, informant received two calls and in which he was threatened to kill by using filthy language and hurling abuses. It is further alleged that when the informant asked of caller, they disclosed their names as Sant Yadav, Subodh Yadav, Raushan Kumar, Santosh Kumar and Saurav Kumar and they told that they used to do illegal mining of sand and if you disturb, they you will be killed.



Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that the petitioners are named in the FIR. He submits that there is no specific overt act against the petitioners. He further submits that nothing incriminating articles or any material has been recovered from the possession of the petitioners or from the house of the petitioners. He submits that petitioners have not concern either with illegal mining of sand or any concerned with the persons who are involved in the crime as alleged. He further submits that petitioner no.1 has got one criminal antecedent and petitioner no.2 has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioners and the fact that there is no specific overt act against the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is



pending/Successor court, in connection with Hisua P.S. Case  
No.232/2022, subject to the condition as laid down under  
Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

ajay/-

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