

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4256 of 2023

Arising Out of PS. Case No.-358 Year-2020 Thana- KHAIRA District- Jamui

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1. AJAY YADAV @ AJAY KUMAR Son of Daso Yadav R/v- Pesra Bhikti, P.S.- Khaira, District- Jamui
 2. SUBODH YADAV @ SUBODH KUMAR Son of Madan Yadav R/v- Pesra Bhikti, P.S.- Khaira, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 06-04-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 143, 341, 323, 384, 307, 504, 506 of the Indian Penal Code, section 27 of the Arms Act and section 3/4 of Explosive Substance Act.

As per allegation, the petitioners alongwith other co-accused persons armed with fire arms and explosives went to the house of informant. It is alleged that the accused persons surrounded the informant and started firing due to which the informant and others entered into their houses. Co-accused Daso Yadav fired on the informant but he saved himself by falling down. It has also been alleged that in past also, the accused



persons including the petitioners had fired shot on the informant's son and also demanded ransom and one day prior to the occurrence, Daso Yadav had taken Rs.20,000/- from informant's son.

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. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is no specific overt act against the petitioners. There is no fire arm injury found on any person. He further submits that during the course of investigation no fire arms has been recovered from the spot. Petitioner no.1 has two criminal antecedent whereas petitioner no.2 has one criminal antecedent, as also mentioned in para-3 of the bail application.

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

Having regard to the facts and circumstances of the case, let the above named petitioners, 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 Khaira P.S. Case No.358 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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