

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6720 of 2023

Arising Out of PS. Case No.-249 Year-2022 Thana- JAGDISHPUR District- Bhojpur

1. Seth Yadav S/O Rajaram Yadav R/V- Bibhwam, P.S.- Jagdishpur, District- Bhojpur
2. Dharmendra Yadav S/O Rajaram Yadav R/V- Bibhwam, P.S.- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr. Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 11-04-2023 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 341, 323, 307, 379 and 506/34 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that both the parties are agnates. He submits that there is specific overt act against the accused persons Hemlal Yadav, who fired upon the informant due to which the informant sustained gun injury. He further submits that there is no specific overt act against the petitioners. He



submits that the occurrence took place on 02.04.2022 and fardbeyan was lodged on 14.05.2022 and FIR lodged on 01.06.2022. He further submits that there is delay of about two months in filing of the present FIR and there is no any explanation about it which creates serious doubt about the prosecution case. He submits that petitioners have 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, 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 Jagdishpur P.S. Case No.249 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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