

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14275 of 2023**

Arising Out of PS. Case No.-570 Year-2022 Thana- JAMUI District- Jamui

1. Jyoti Mandal Son Of Fekan Mandal R/O Village- Manjhwe, P.S.- Jamui, District- Jamui
2. Sudhakar Ravidas Son Of Late Kailash Das R/O Village- Manjhwe, P.S.- Jamui, District- Jamui

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate  
For the Opposite Party/s : Mr. Prem Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      18-05-2023                      Heard learned counsel for the petitioners and learned  
APP for the State.

The petitioners in the present case are seeking pre-arrest bail in connection with Jamui P.S. Case No.570 of 2022 registered for the offences punishable under Sections 188, 353, 341, 323, 307, 224, 225, 279, 420, 379, 411, 120(B) of the Indian Penal Code. They have got two criminal antecedent.

As per the prosecution story, on 03.11.2022 at about 05:15 P.M. while the informant was on duty at Chhatuthnama, he saw two tractors loaded with sand were coming from Manjhway. When the informant tried to stop them both the drivers in order to kill the informant and his associates drove the tractor rashly towards them. When the police personnel was trying to stop the tractor, the villagers came there with lathi and danda and started



scuffling with police party as a result some of the police personnel became injured and villagers forcibly took away the apprehended persons. It is alleged that on the information of informant extra police force came at the place of occurrence, then Brahma @ Bambam Yadav, Raja Yadav and Vikash Yadav opened fire on the police and they fled away. Both the tractors loaded with 110 cubic feet sand were seized and two empty cartridges were recovered and Mahal Chawkidar Sankar Paswan disclosed the name of the accused persons including these petitioners.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that the petitioners are not the owner of the tractor and no arm or ammunition has been recovered from these petitioners. It is submitted that the specific allegation of firing is against Brahma @ Bambam Yadav, Raja Yadav and Vikash Yadav.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case from which it appears that the petitioners are named in the FIR among the persons who had assembled at the place of occurrence after seizure of the tractor, no arm or ammunition has been attributed to these petitioners, the specific allegation of firing is against Brahma @ Bambam Yadav, Raja Yadav and Vikash Yadav



(as per the impugned order), this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Jamui P.S. Case No.570 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

SUSHMA2/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

