

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17569 of 2023

Arising Out of PS. Case No.-179 Year-2021 Thana- NAVINAGAR District- Aurangabad

1. BINOD YADAV S/o Shiv Yadav R/o Janakpur Pokhra, P.S.- Navinagar, Distt- Aurangabad.
2. Ganga Yadav S/o Shiv Yadav R/o Janakpur Pokhra, P.S.- Navinagar, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the
petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Navinagar P.S. Case No.179 of 2021, registered for offences under Sections 147, 148, 149, 323, 337, 338, 307, 332, 333, 353, 427, 435, 504, 283 and 188 of the IPC.

The allegation is regarding the informant alongwith his police force having gone to Janakpur Pokhra on the alleged date and time of occurrence to nab an accused in connection with illicit trade of liquor, however, a huge mob had gathered there, whereafter they had engaged in blocking the road



and had also obstructed the police officials from discharging their official duties, apart from pelting stones on the police force.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case. It is submitted that as far as the petitioner no.1 is concerned, though he is an accused in one another case, but he is on bail in the said case, while the petitioner no.2 is having a clean antecedent. It is further submitted that the petitioners are not named in the FIR, a general and omnibus allegation has been levelled against the petitioners and their names have transpired in the present case during the course of investigation by the police.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled



against all the accused persons, including the petitioners herein, apart from the fact that they have not been named in the FIR, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M. Aurangabad, District-Aurangabad in connection with Navinagar P.S. Case No.179 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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