

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15960 of 2023

Arising Out of PS. Case No.-60 Year-2022 Thana- GHOSWARI District- Patna

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DHURI YADAV Son of Bambam Yadav Resident of Kumhara, P.S. -
Ghoswari, (Samyagarh), Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State of Bihar.

The petitioner is apprehending his arrest in connection with Ghoswari (Samyagarh) P.S. Case No. 60 of 2022 registered for the offence punishable under sections 147, 148, 149, 332, 333, 327, 353, 337, 338 of the Indian Penal Code (for brevity 'IPC') and Section 27 of the Arms Act.

As per prosecution case, petitioner along with other accused persons named in the FIR fired upon another group and tried to loot the crops.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that there is no specific over act against the petitioner. He submits that similarly situated co-accused have



already been granted bail by this Court vide order dated 01.12.2022, passed in Cr. Misc. No. 42870 of 2020, order dated 10.01.2023 passed in Cr. Misc. No. 60115 of 2022 and order dated 19.01.2023, passed in Cr. Misc No. 67576 of 2022. He further submits that petitioner has two criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application. No police personnel has sustained injury.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and the fact that the similarly situated co-accused have already been granted bail, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Barh, District- Patna, in connection with Ghoswari (Samyagarh) P.S. Case No. 60 of 2022 subject to the following conditions:

- (i) That one of the bailors of each of the petitioner will be a close relative of the petitioner who will give an affidavit giving genealogy as to



how he is related with the petitioner concerned.
The bailors will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if they fail to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Madhuresh Prasad, J)

Raj kishore/-

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