

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16669 of 2023

Arising Out of PS. Case No.-495 Year-2022 Thana- BAHADURPUR District- Darbhanga

Pradeep Yadav, Male, aged about 22 years, Son Of Ramesh Yadav, Resident
Of Baruara, P.S.- Bahadurpur (Fekla OP), District- Darbhanga

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate
For the Opposite Party : Mr. Rana Randhir Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Bahadurpur (Fekal O.P.) P.S. Case No. 495 of 2022 registered for the offence under Sections 147, 149, 341, 323, 353, 333, 307, 427, 504 of the I.P.C. and Section 37 of the Bihar Prohibition and Excise Act, 2022.

The prosecution story, in brief, is that when the police, during the patrolling, instructed Sanjay Yadav and Guddu Yadav to go back home due to late night, they alongwith 8-10 persons intervened the police and attacked them. They all were intoxicated. They also damaged the government vehicle. Thereafter, accused fled away but co-



accused Guddu Yadav was arrested and he disclosed the names of others as Sajjan Yadav @ Sajan Yadav, Shrawan Yadav, Pradeep Yadav (petitioner), Deepak Yadav, Nandan Yadav and Amresh Yadav.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. As per prosecution, it is being said that some altercation took place between the police party and the accused persons. It is alleged that the accused persons were in drunken state. No grievous injury is said to have been caused to anyone in course of occurrence. There is no recovery of any liquor from the possession of the petitioner or any other accused persons. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner has placed reliance upon the order dated 13.04.2022 passed by the Hon'ble Supreme Court in *Criminal Appeal No. 626 of 2022, arising out of SLP (Crl.)*



No. 3005 of 2022 (Sweta Kumari-Versus-The State of Bihar).

On behalf of the State, it is submitted that the petitioner is named in the F.I.R/ Complaint Case.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Court below/concerned Court, in connection with Bahadurpur (Fekla O.P.) P.S. Case No. 495 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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