

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23649 of 2023

Arising Out of PS. Case No.-790 Year-2022 Thana- KHAGARIA District- Khagaria

1. Jai Jai Ram Yadav S/O- Late Anik Yadav Resident Of Village -Lakshmipur PS Gangaur Dist- Khagaria
2. Anil Yadav Son Of Bahadur Yadav @ Ram Bahadur Yadav Resident Of Village -Lakshmipur PS Gangaur Dist Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Satish Chandra, Advocate
For the Opposite Party/s	:	Mr. Chandra Bhushan Prasad, APP
For the Informant	:	Mr. Sunil Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-07-2023 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel for the informant.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 385, 387, 504 and 506 of the Indian Penal Code and under Section 27 of the Arms Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the petitioner no. 1 is a senior citizen aged about 74 years and the informant alleges that he along with his brother was constructing a boundary wall of the primary school, Laxmipur when Pappu



Yadav and Bittu Yadav along with other accused persons including the petitioners came, Bilash demanded extortion money and on protest, Pappu ordered to assault upon which Bilash fired upon the brother of the informant causing injury on his left hand and right leg, thereafter all the accused persons started assaulting them with *lathi* on account of which the informant sustained injury on his head.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that allegation of firing is against Bilash who is not a petitioner before this Court and similarly situated co-accused Pappu Yadav and Bittu Yadav have granted the privilege of anticipatory bail by order dated 14.07.2023 in Criminal Miscellaneous No. 25641 of 2023. It is next submitted that the case of the petitioner is on a better footing than Pappu Yadav.

5. Learned A.P.P. for the State along with learned counsel for the informant opposes the prayer for anticipatory bail of the petitioners, but are not in a position to rebut the submission of the learned counsel for the petitioners that Pappu Yadav and Bittu Yadav have already been granted the privilege of anticipatory bail by a learned Co-ordinate Bench of this



Court.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Khagaria P.S. Case No. 790 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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