

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28322 of 2023**

Arising Out of PS. Case No.-259 Year-2022 Thana- BISFI District- Madhubani

1. Sadhu Sharan @ Sadhu Sharan Yadav Son Of Babu Lal Yadav R/O Village- Bisfi Bharan Tola, P.S.- Bisfi, District- Madhubani
2. Arjun Sahani Son Of Shatrudhan Sahani R/O Village- Bisfi Bharan Tola, P.S.- Bisfi, District- Madhubani

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate  
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

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

2      07-07-2023      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 Bisfi P.S. Case No.- 259 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 354(B), 379, 504 of the Indian Penal Code and Section 3/ 4 of Explosive Substance Act. Petitioner no. 1 has got no criminal antecedent. Petitioner no. 2 has got two criminal antecedents and in both the cases, he is on bail.

Learned counsel for the petitioners submits that on 05.09.2022 at about 05:00 a.m. when the informant was in the field, the accused persons named in the FIR in number 24 came their and assaulted him. The accused namely Fekan Yadav



assaulted him with bomb which was kept in his bag and then they even threatened to kill him. They even misbehaved with Ragini Devi, Pramila Devi, Anita Devi and others who came to his rescue. Badri Prasad assaulted Ragini Devi with Farsa. The co-accused Udesb Yadav had kept bomb in his bag and Shivji Yadav threw bomb at his relatives when they came to save him.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. It is submitted that there is no specific allegation against them and the co-accused, similarly situated, have been granted privilege of anticipatory bail by learned Co-ordinate Bench of this Court in Cr. Misc. No. 73094 of 2022.

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, wherein it is the submission of learned counsel for the petitioners that these petitioners are though named in the First Information Report but there is no specific allegations against them, the co-accused namely Fekan Yadav, Badri Yadav and Udesb Yadav against whom there are specific allegations have already been arrested and the co-accused, similarly situated, have been granted privilege of anticipatory bail by learned Co-



ordinate Bench of this Court in Cr. Misc. No. 73094 of 2022, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named shall be enlarged on bail in connection with Bisfi P.S. Case No.- 259 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 A.C.J.M., Benipatti, District-Madhubani, 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)**

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