

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28273 of 2023

Arising Out of PS. Case No.-128 Year-2022 Thana- BELDOUR District- Khagaria

1. Arveen Yadav @ Arbind Kumar Son of Shiv Nandan Yadav Resident Of Village And P.O. - Pir Nagara, P.S. - Beldaur, Distt. - Khagaria
2. Naveen Kumar @ Naveen Yadav Son of Shiv Nandan Yadav Resident Of Village And P.O. - Pir Nagara, P.S. - Beldaur, Distt. - Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-05-2023 Heard Mr. Chandan Kumar, learned Counsel appearing on behalf of the petitioner and Mr. Nityanand, learned A.P.P. appearing on behalf of the State.

2. The petitioners seek pre-arrest bail in connection with Beldaur P.S. Case No. 128 of 2022 arising out of G.R. No. 1607 of 2022 registered on 17.06.2022 for offences under Sections 302/34 of Indian Penal Code and Section 27 of Arms Act.

3. Learned Counsel appearing on behalf of the petitioner submits that the petitioners are not the main accused, the main allegation is against one Dharambeer



Yadav, who had fired upon the deceased. He further submitted that the only allegation, made against the petitioners, is that they were members of the mob. He further submitted that petitioners have committed no offence and they have falsely been implicated in the present case due to previous grudge and enmity with the informant's side. The petitioners have no criminal antecedent.

4. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for grant of bail to the petitioners.

5. Considering the nature of allegation made in the F.I.R., the records reveals that one co-accused namely, Dharambeer Yadav had fired upon the victim with intention to murder. In view of the above matter, I am of the opinion that the petitioners above named, have, prima facie, made out a case to be released on anticipatory bail.

6. The Court below is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.



10,000/- (Ten Thousand Only) each with two sureties of the like amount each, to the satisfaction of learned CJM, Khagaria in connection with Beldaur P.S. Case No. 128 of 2022 arising out of G.R. No. 1607 of 2022, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

7. The present bail application is disposed of.

(Purnendu Singh, J)

nilmani/minu-

U		T	
---	--	---	--

