

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28420 of 2023**

Arising Out of PS. Case No.-400 Year-2022 Thana- MUNGER MUFFASIL District- Munger

1. Bhawsh Kumar Yadav @ Bhawesh Kumar Yadav Son Of Bhuto Yadav R/O- Mahuli, P.S.-Muffasil, Distt.-Munger
2. Ankush Kumar Son Of Bhawsh Kumar Yadav @ Bhawesh Kumar Yadav R/O-Mahuli, P.S.-Muffasil, Distt.-Munger

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate  
For the Opposite Party/s : Dr. Ajeet Kumar, APP

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

2      14-07-2023      Heard learned counsel for the petitioners and learned  
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Muffasil P.S. Case No. 400 of 2022 registered for the offences punishable under Sections 147, 148, 149, 324, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms. Act. They have got no criminal antecedent.

3. Learned counsel for the petitioners submits that as per the prosecution story, 14 named accused persons including these petitioners was indiscriminately firing and in the said occurrence, Chandan Kumar elder brother of the informant and Sumit Kumar suffered firearm injuries on left hand and stomach



respectively.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is no specific allegation against these petitioners attributing the injuries caused to the two injureds

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is submitted that the allegation of indiscriminate firing is against 14 named accused persons, in the alleged occurrence two persons from the informant's side are said to have been suffered firearm injuries which are simple in nature, so far as the present petitioners are concerned, there is no specific allegation against them attributing the injuries caused to the two injureds and the police has seized only four empty cartridges from the place of occurrence whereas the allegation of firing has been made against 14 named accused persons, these petitioners are not having any criminal antecedent, in the circumstances, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with



Muffasil P.S. Case No. 400 of 2022 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

**(Rajeev Ranjan Prasad, J)**

SUSHMA2/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

