

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28395 of 2022**

Arising Out of PS. Case No.-10 Year-2013 Thana- ROSHANGANJ District- Gaya

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HEERA YADAV @ INDRADEO PRASAD YADAV SON OF
MUNGESHWAR YADAV RESIDENT OF VILLAGE- MEGHNADIH, P.S.-
RAUSHANGANJ, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 42411 of 2022

Arising Out of PS. Case No.-10 Year-2013 Thana- ROSHANGANJ District- Gaya

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RAM PRAVESH YADAV Son of Antu Yadav Resident of Village - Sondaha
Lutua, Panchayat, Bankey Bazar, P.S.- Lutua Bankey Bazar, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 28395 of 2022)

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Pranav Kumar

(In CRIMINAL MISCELLANEOUS No. 42411 of 2022)

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 09-01-2023 Learned counsel for the petitioners is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard the learned counsel for the petitioners as well

as Mr. Surendra Prasad Singh, the learned APP for the State.



The petitioners apprehend their arrest in connection with Raushanganj P.S. Case No. 10 of 2013, registered for the offences punishable under Sections 147, 148, 149, 353, 427, 379, 302, 124(A) and 120B of the Indian Penal Code, 3, 4 and 5 of Explosive Substance Act, 27 of the Arms Act and Section 17 of the C.L.A., Act.

As per prosecution case, the informant who is ASI was in observation duty along with anti land mines squad vehicle. In the meantime, the accused persons including the petitioners who are named amongst 57 named accused persons exploded the land mines causing the death of six police personnel and one civilian.

Learned counsel for the petitioners has submitted that the petitioners are innocent. They have no criminal antecedents. They have falsely been implicated. He has submitted further that though the informant has named the accused persons including the petitioners but it is only his belief and he has not seen the occurrence.

On the other hand, learned Addl.P.P. has opposed the prayer for bail and submitted that the investigation is still pending.

The petitioners are named in the FIR and there is



allegation that being the members of extremist groups they committed such barbaric act killing six police personnel and one civilian.

In my view, it is not a fit case for anticipatory bail. Accordingly, prayer for anticipatory bail of the petitioners is rejected.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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