

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39282 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- KHARIK District- Bhagalpur

1. Pankaj Yadav @ Pankaj Kumar @ Pankaj Kumar Yadav Son Of Basudev Yadav Village Khairpur Thana Kharik District Bhagalpur
2. Mainsh Yadav Son Of Pankaj Yadav @ Pankaj Kumar @ Pankan Kumar Village Khairpur Thana Kharik District Bhagalpur
3. Sintu Yadav Son Of Late Lakhan Yadav Resident Of Village- Narayanpur, Ps- Bhawanipur, District- Bhagalpur
4. Pradeep Yadav Son Of Jojin Yadav Resident Of Village- Narayanpur, Ps- Bhawanipur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-08-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 341, 323, 307, 447, 448, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioners is that they were present at the place of occurrence and they brandishing firearm, in the meantime, co-accused Chhotu Yadav fired upon the informant's father and after the incident they fled from the spot.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this



case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner, there is specific allegation against co-accused Chhotu Yadav, who fired upon the informant's father and the injury was found grievous in nature. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioners, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 the learned lower Court where the case is pending/successor Court in connection with Kharik P.S. Case No.27 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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