

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47218 of 2022

Arising Out of PS. Case No.-184 Year-2021 Thana- KHARIK District- Bhagalpur

1. MAHENDRA YADAV Son of Late Ramdev Yadav R/V- Usmanpur, P.S- Kharik, Dist- Bhagalpur
2. Laddu Yadav Son of Late Ramjot Yadav R/V- Usmanpur, P.S- Kharik, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 14-03-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offence under Section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, all the eleven F.I.R. named accused persons, including both petitioners, abused the informant & his family members and thereafter, made indiscriminate firing in air.

It is submitted on behalf of petitioners that there is case and counter case. The allegation of abuse is general and



omnibus. No one sustained any injury in the said occurrence and as such, no offence, as alleged under Section 307 of the I.P.C., is made out. It is further submitted that similarly situated four co-accused persons have already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 22.11.2022 passed in Cr.Misc. No. 47210 of 2022.

However, learned A.P.P. for the State vehemently opposes the prayer for bail and submits that both petitioners have got criminal antecedent. Apart from present case, petitioner no. 1 is accused in 15 (fifteen) more cases, whereas, petitioner no. 2 is accused in 7 (seven) more cases.

Considering the criminal antecedent of petitioners, as stated in paragraph – 3 of the petition, their prayer for anticipatory bail is rejected.

(Prabhat Kumar Singh, J)

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