

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51458 of 2023

Arising Out of PS. Case No.-779 Year-2022 Thana- BRAHMPUR District- Buxar

1. Aniket Yadav @ Ankit Yadav Son Of Late Hareram Yadav Resident Of Village- Chakki (Bhola Dera), Ps- Brahampur (Chakki Op.), Dist- Buxar
2. Anil Yadav Son Of Late Ram Vilas Yadav Resident Of Village- Chakki (Bhola Dera), Ps- Brahampur (Chakki Op.), Dist- Buxar
3. Shivji Yadav Son Of Late Parshuram Yadav Resident Of Village- Chakki (Bhola Dera), Ps- Brahampur (Chakki Op.), Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 147, 148, 149, 447, 341, 323, 307, 427, 504 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, about 25 accused persons came to the house of the informant laced with arms and started to damage cottage and drain in front of his house. They started brick battings and accused Raju Yadav fired upon Awadhesh Yadav which hit his abdomen as a result of which he



fell down in injured condition.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. They are simply members of the mob. Specific allegation of opening fire is against co-accused Raju Yadav and not against the petitioners. General and omnibus allegations are levelled against them. Only on the basis of suspicion, their names have been dragged in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 17.5.2023 passed in Cr. Misc. No. 12988 of 2023. Petitioners have got no criminal antecedents and are languishing in judicial custody since 23.6.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned CJM, Buxar in connection with Brahampur Chakki O.P. P.S.



Case No. 799 of 2022.

(Sunil Kumar Panwar, J)

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