

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58204 of 2022

Arising Out of PS. Case No.-250 Year-2022 Thana- MAKHDUMPUR District- Jehanabad

1. UPENDRA YADAV S/O KAPIL YADAV R/O VILLAGE- OD BIGHA, P.S.- MAKHDUMPUR, DISTRICT - JEHANABAD
2. AKHILESH KUMAR S/O RAM ISHWAR YADAV . R/O VILLAGE- OD BIGHA, P.S.- MAKHDUMPUR, DISTRICT - JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-01-2023 Heard the parties.

Learned counsel for the petitioners seek permission to withdraw this application as against the petitioner no.1, as he has already been apprehended by the police during the pendency of the bail application.

Permission is granted.

Accordingly, the bail application as against petitioner no.1 is dismissed as withdrawn.

Now, this application is being heard with regard to petitioner no.2 only.

The petitioner no.2 apprehends his arrest in a case registered for the offence punishable under Sections 147, 148,



149, 341, 323, 354, 506, 337, 307 of the Indian Penal Code and section 27 of the Arms Act.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is an admitted land dispute between the parties. There is a case and counter-case between the parties. He further submits that no one of prosecution side including the informant sustained injury either by stone or alleged firing. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioner no.2, be released on bail, in the event of his/her 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) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Makhdumpur P.S. Case No.250 of 2022,



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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