

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62280 of 2023

Arising Out of PS. Case No.-203 Year-2023 Thana- BIHAR District- Nalanda

1. Bhosu @ Surendra Yadav S/O Rajeshwar Yadav R/O Village- Banouliya, P.S. Bihar, Dist. Nalanda
2. Pappu Yadav S/O Kunjbihari Yadav R/O Village- Banouliya, P.S. Bihar, Dist. Nalanda
3. Sanjeev @ Govind Yadav S/O Late Ramanand Yadav R/O Village- Banouliya, P.S. Bihar, Dist. Nalanda
4. Gabbar Yadav S/O Late Ramanand Yadav R/O Village- Banouliya, P.S. Bihar, Dist. Nalanda

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Upendra Kumar, Advocate
For the Opposite Party : Mr. Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-arrest bail in connection with Bihar P.S. Case No. 203 of 2023 registered for the offences punishable under Sections 147, 149, 341, 447, 342, 323, 337, 338, 307, 332, 333, 353, 504 of the Indian Penal Code. It has been stated in paragraph '3' of the petition that petitioner nos. 2 and 4 are accused in one case and again it has been stated that petitioner nos. 1 and 2 have clean antecedent.

3. As per the prosecution story, on 02.03.2023 the



informant who is the Circle Officer, Bihar Sharif went Banauliya for compliance of the order of S.D.M., Bihar Sharif in Case No. 1366(M) of 2022 to cordon off a piece of land with barbed wire. It is further alleged that when the work started, 30-40 villagers assembled there and armed with lathi, danda, bricks and stone attacked the police force and caused hindrance in fencing of land.

4. Learned counsel for the petitioners submits that there are general and omnibus allegations against the petitioners. They are amongst the 17 persons named in the FIR and other unnamed persons. It is further submitted that there is no injury to any of the police officer.

5. Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioners.

6. Having regard to the facts and circumstances of the case wherein it is submitted that there are general and omnibus allegations against the petitioners, the petitioners are named one amongst the seventeen persons named in the FIR and there is no injury to any of the police officers, hence, this Court directs that in case of their arrest or surrender within a period of six weeks from today, the petitioners above named be released on bail in connection with Bihar P.S. Case No. 203 of 2023 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 learned Chief Judicial Magistrate, Nalanda, Biharsharif, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. In paragraph '3', vague statement has been made about criminal antecedent of the petitioners so the court below shall verify the criminal antecedent of the petitioners before accepting the bail bond and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

lekhi/-

U		T	
---	--	---	--

