

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62788 of 2022

Arising Out of PS. Case No.-329 Year-2021 Thana- MUNGER MUFFASIL District- Munger

PRAMESH YADAV @ PRABHESH YADAV S/O GAJO YADAV @ GA-
JADHAR YADAV R/v- Tikarampur, Bihari Marar Tola, Post- Tikarampur,
P.S.- Muffasil and District- Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62982 of 2022

Arising Out of PS. Case No.-329 Year-2021 Thana- MUNGER MUFFASIL District- Munger

GAJO YADAV @ GAYADHAR KUMAR S/O LATE HISABI YADAV R/v-
Tikarampur, Bihari Marar Tola, Post- Tikarampur, P.S.- Muffasil and District-
Munger

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 62788 of 2022)

For the Petitioner/s : Mr.Ashutosh Kumar Verma, Adv.

For the Opposite Party/s: Mr.Ramchandra Sahni, APP.

(In CRIMINAL MISCELLANEOUS No. 62982 of 2022)

For the Petitioner/s : Mr.Ashutosh Kumar Verma, Adv.

For the Opposite Party/s: Mr.Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2023 As both these bail applications have cropped up from the

same police station case number, hence, with consent of parties,

they are being heard together and disposed of by this common

order.

Heard the parties.



The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 302, 384, 506 of the Indian Penal Code and 27/35 Arms Act.

Allegedly, petitioners along with other FIR named accused persons arrived at bridge over Gandak River and started assaulting the informant's brother. Gajo Yadav and Chhedi Yadav ordered to kill informant's brother upon which Santosh Yadav fired from country made pistol upon him which hit on his waist.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. They have been falsely implicated in this case. Both sides are co-villagers. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is specific allegation against co-accused Santosh Yadav, who caused fire arm injury to informant's brother as result of which he died on the way to Hospital. It is further submitted that similarly situated co-accused Majjo Yadav and Dharo Yadav have been granted anticipatory bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 10408 of 2022 and Cr. Misc. No. 8099 of 2022, respectively. Petitioner Pramesh Yadav has no criminal antecedent



whereas petitioner Gajo Yadav has criminal antecedent as mentioned in para-3 of these applications.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is general and omnibus allegation against the petitioners, let the above named petitioner, 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 Court below where the case is pending/successor Court in connection with Muffasil P.S. Case No. 329 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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