

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71657 of 2022

Arising Out of PS. Case No.-237 Year-2022 Thana- BARARI District- Katihar

1. ARBIND KUMAR YADAV @ ARUN KUMAR YADAV Son of Late Upendra Yadav Resident of Village - Kuriya, P.S.- Barari, District - Katihar.
2. Ashtit @ Ashtit Kumar @ Aashish Kumar @ AASHISH Son of Vimal Yadav Resident of Village - Kuriya, P.S.- Barari, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bhola Prasad
For the Opposite Party/s :	Mr. Uday Chand Prasad
	Mr. Amarendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 323, 307, 504, 506, 34 of the Indian Penal Code and 27 of Arms Act.

The allegation against the petitioners is that they went to the informant and assaulted him. The petitioner no.1 threatened to kill the informant within three days. The other accused persons fired upon the informant. It is further alleged that two empty cartridges were recovered from the place of occurrence.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such



occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that similarly situated co-accused persons have been granted bail by this Court vide order dated 16.01.2023 passed in Cr. Misc. No.63792 of 2022. Petitioner no.1 has one criminal antecedent and petitioner no.2 has no criminal antecedent.

Learned APP for the State as well as learned opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, 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 Barari P.S. Case No.237 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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