

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.69812 of 2023**

Arising Out of PS. Case No.-93 Year-2023 Thana- SARE District- Nalanda

1. Inderdeo Yadav @ Inderdeo Kumar Son Of Baijnath Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda
2. Pintu Kumar Son Of Ramdeo Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda
3. Nitish Kumar Son Of Ramdeo Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda
4. Raushan Kumar Son Of Rajendra Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda
5. Karan Kumar @ Karn Kumar Son Of Kedar Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda
6. Rahul Kumar Son Of Yogendra Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda
7. Manoj Yadav Son Of Mahendra Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda
8. Ravindra Yadav @ Ravindra Prasad @ Gabbar Yadav Son Of Shiv Kumar Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda
9. Pintu Kumar Son Of Ravindra Yadav Resident Of Village - Phagu Bigha, P.S.- Sare, Distt- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                          |   |                                        |
|--------------------------|---|----------------------------------------|
| For the Petitioner/s     | : | Mr. Devendra Kumar Sinha, Sr. Advocate |
|                          |   | Mr. Pramod Kumar Sinha, Advocate       |
| For the Opposite Party/s | : | Mr. Narendra Kumar Singh, APP          |

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      07-11-2023                      At the outset, learned counsel for the petitioners seeks permission to make necessary correction in the name of the petitioners.

2. The permission is accorded.

3. The same must be done in course of the day.



4. Heard Mr. Pramod Kumar Sinha, learned counsel appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

5. The petitioners are apprehending their arrest in connection with Sare P.S. Case No. 93 of 2023, registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 337, 338, 307, 504, 506, 427, 114, 115, 109, 143 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

6. Allegedly, the petitioners are said to be members of Nitish Group, who have participated in fighting with rival Nago Group. It is alleged that both the members of the rival groups exchanged firing, pelted stones upon each other, due to which the motorcycle of one Rajesh Yadav was badly damaged. Altogether, 30 persons are named in the FIR and 20-25 unknown persons were there from both the sides.

7. Learned counsel appearing on behalf of the petitioners submits that so far the vehicle of the Rajesh Yadav is concerned, the same has not been damaged by the villagers, rather had met to an accident but only on account of village politics that has given colour of clash between the rival groups. Neither during the course of investigation any cartridge was



recovered nor any persons has sustained injury in the alleged brick batting and firing between the two groups. He next submits that save and except the allegation that the petitioners were member of one of the group, there is no other allegation of any overt act, apart from the fact that all the petitioners are men of fair antecedent. He lastly submits that one of the co-accused persons, having identical allegation, has been allowed the privilege of anticipatory bail by the learned co-ordinate Bench of this Court in Cr. Misc. No. 62594 of 2023 vide order dated 17.10.2023.

8. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

9. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the fact that none has sustained injury and co-accused person has been allowed the privilege of anticipatory bail, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief



Judicial Magistrate, Nalanda at Biharsharif in connection with  
Sare P.S. Case No. 93 of 2023, subject to the conditions laid  
down in Section 438(2) Cr.P.C. with the further condition that  
one of the bailors shall be the own/close family members of the  
petitioners.

**(Harish Kumar, J)**

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