

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2657 of 2023

Arising Out of PS. Case No.-797 Year-2022 Thana- JAHANABAD District- Jehanabad

1. SAKALDEO YADAV @ SAKALDEV YADAV Son of Late Devki Yadav Resident of Village- Shiva Bigha, P.S.- Kalpa, District- Jehanabad
2. SATENDRA YADAV Son of Late Devki Yadav Resident of Village- Shiva Bigha, P.S.- Kalpa, District- Jehanabad
3. JAWAHIR YADAV @ JAWAHIR KUMAR Son of Late Devki Yadav Resident of Village- Shiva Bigha, P.S.- Kalpa, District- Jehanabad
4. HARERAM YADAV Son of Late Yamuna Yadav Resident of Village- Shiva Bigha, P.S.- Kalpa, District- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2023 This case has been listed today under the heading “To Be Mentioned” at the instance of learned counsel for the petitioners.

Heard the parties.

Learned counsel for the petitioners seeks permission to withdraw this application as against petitioner nos.1 and 4, who have been apprehended by the police, during pendency of this application.

Permission is granted.

The instant application so far as petitioner nos.1 and 4 are



concerned, is hereby dismissed as withdrawn.

Now, it is being pressed for consideration of bail on behalf of petitioner nos.2 and 3 only.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 326, 307, 34 of the IPC and section 27 of the Arms Act.

As per the prosecution case, petitioners are involved in firing made upon the informant's side due to land dispute.

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 due to land dispute. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Specific allegation is against co-accused Bineshwar Yadav to open fire upon informant. Petitioners have one criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioners, let the above named petitioner nos.2 and 3, 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 Jehanabad P.S. Case No.797 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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