

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1770 of 2023

Arising Out of PS. Case No.-332 Year-2021 Thana- DEEPNAGAR District- Nalanda

1. BIPIN YADAV @ BIPIN KUMAR S/O Vijendra Gope @ Bijendra Yadav R/O Village- Beldariyapar, P.S- Deep Nagar, District- Nalanda
2. Ripin Yadav @ Kamlesh Kumar S/O Vijendra Gope @ Bijendra Yadav R/O Village- Beldariyapar, P.S- Deep Nagar, District- Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nandu Kumar Yadav, Adv.
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-03-2023 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 323, 324, 325, 307, 294, 504 IPC and 27 of the Arms Act.

Allegedly, all accused persons including the petitioners indiscriminately assaulted the informant and his father by means of lathi-danda and he was thrown in field, considering dead. Thereafter, accused fled away after firing bullets.

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 ulterior



motive. 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. For the alleged occurrence, there is a case and counter-case between the parties. The specific allegation is against the co-accused Devendra Yadav, Diwakar Yadav @Kara, Soni Yadav to have assaulted the informant's side from which the injured have sustained grievous injury. Petitioners have no criminal antecedent and similarly situated co-accused namely Vikash Kumar has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 17.10.2022 passed in Cr. Misc. No.15118 of 2022.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since the similarly situated co-accused has been enlarged on anticipatory bail, 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 Deep Nagar P.S.
Case No.332 of 2021, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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