

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92 of 2023

Arising Out of PS. Case No.-180 Year-2022 Thana- TEKARI District- Gaya

1. SANJAY YADAV @ SANJAY SON OF DUDHESHWAR YADAV @ KAVIJI R/O VILLAGE- SAWASIN, P.S.- TEKARI (PANCHANPUR O.P.), DISTRICT- GAYA
2. RAMJANAM YADAV SON OF LATE UGAN YADAV R/O VILLAGE- SAWASIN, P.S.- TEKARI (PANCHANPUR O.P.), DISTRICT- GAYA
3. MANOJ YADAV SON OF KALI YADAV R/O VILLAGE- SAWASIN, P.S.- TEKARI (PANCHANPUR O.P.), DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No.2, Adv.

For the Opposite Party/s : Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 12-07-2023 Heard the parties.

The petitioners apprehend their arrest in a case registered for the offence punishable u/s 427, 435 and 34 of the IPC and section 27 of the Arms Act.

As per the prosecution case, the petitioners set fire in the shop of the informant and when the informant came out from his house, then petitioner no.3 fired and fled away.

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. It is submitted that the occurrence is said to have taken place on 29.03.2022 and F.I.R. was lodged on 30.03.2022 but the F.I.R. was sent to the court below on 04.04.2022 i.e. after delay of four days, which creates doubt about the prosecution case. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the delay in sending the F.I.R., 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 Tekari (Panchanpur O.P.) P.S. Case No.180 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

