

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5827 of 2024

Arising Out of PS. Case No.-269 Year-2023 Thana- DULHIN BAZAR District- Patna

1. Anil Yadav son of Late Sawarup Yadav @ Ramswarup Yadav village-
Gulalchak ps- Dulhin Bazar Dist- Patna
2. Shirda Yadav son of Late Sawarup Yadav @ Ramswarup Yadav village-
Gulalchak ps- Dulhin Bazar Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandrashekhar Prasad

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners as well as the
learned APP for the State.

2. Learned counsel for the petitioners has submitted that during the pendency of this petition, petitioner no. 1 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this anticipatory bail petition.

3. In view of the aforesaid submission, the anticipatory bail petition in respect of petitioner no. 1 is dismissed as withdrawn as having become infructuous.

4. The petitioners apprehend their arrest in connection with Dulhin Bazar P.S. Case No. 269 of 2023, registered for the offences punishable under Sections 147, 149, 341, 323, 504 of the



Indian Penal Code and Section 27 of the Arms Act.

5. As per allegation, when the informant along with his son was engaged in pumping work in his field, the FIR named accused persons including the petitioners started assaulting them. Petitioner no. 2 fired at his son but it didn't hit anyone. Thereafter, co-accused Ravi Shankar assaulted him with *khanti*.

6. The learned counsel for the petitioners has submitted that the petitioner no. 2 has falsely been implicated in this case. The falsification of the allegation is apparent itself since there is allegation against the petitioner that he fired at person of the informant but he did not receive any injury.

7. Considering the above-mentioned facts and circumstances, **let the petitioner no. 2**, in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Danapur in connection with Dulhin Bazar P.S. Case No. 269 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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