

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18424 of 2024

Arising Out of PS. Case No.-194 Year-2021 Thana- RUPAULI District- Purnia

1. Belas Yadav @ Bilash Yadav S/o Late Surya Yadav R/o Vill - Dhobinya Basa, P.S. - Rupauli, Dist. - Purnia
2. Jitan Yadav @ Jitendra Yadav S/o Belas Yadav @ Bilash Yadav R/o Vill - Dhobinya Basa, P.S. - Rupauli, Dist. - Purnia

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Rupauli (Mohanpur) P.S. Case No. 194 of 2021 dated 16.11.2021, instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on the date of occurrence the informant along with his uncle and others had gone to watch *jalkar* where they saw that some persons were fishing at his *jalkar*. When the informant and others forbade them not to do so, then all the accused persons including the petitioner started firing in air to create terror. All the F.I.R. named accused persons having deadly weapons started abusing the informant and others asking them to flee away, otherwise, they would kill them. During that course, the informant also sustained fire arm injury on his left leg above knee.



4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is submitted that there is specific allegation of firing against Sadhu Yadav, Varun Yadav and Nanhku Yadav. There is no allegation of firing against the petitioners. There is general and omnibus allegation against the petitioners. Lastly, it has been submitted that they have no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Rupauli P.S. Case No. 194 of 2021, they shall be released on anticipatory bail 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 C.J.M., Purnea, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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