

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22045 of 2024

Arising Out of PS. Case No.-658 Year-2023 Thana- KHAGARIA District- Khagaria

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1. Tarun Yadav S/O Vilas Yadav R/O Village- Laxmipur, Ahuatol, P.S-
Gangour, Distt.- Khagaria
 2. Mohan Yadav S/O Vilas Yadav R/O Village- Laxmipur, Ahuatol, P.S-
Gangour, Distt.- Khagaria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivekanand Singh

For the Opposite Party/s : Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

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

2. The petitioners apprehend their arrest in Khagaria
(Gangour) P.S. Case No. 658 of 2023 registered for the offences
punishable under Sections 307, 353/34 of the Indian Penal Code
and Sections 25(1-B)a, 26, 27, 35 of the Arms Act.

3. As per the prosecution case, it is alleged that the
petitioners along with other co-accused fired on the police
party.

4. Learned counsel for the petitioners submits that
the petitioners are innocent and have falsely been implicated in
this case. The allegation levelled against the petitioners is not
specific rather general and omnibus in nature. He submits that



He submits that no one has sustained injury in the present case, therefore no offence under Sections 307/34 of I.P.C. is made out against the petitioners. He further submits that the apprehended person disclosed the name of the petitioners. The petitioners have four criminal antecedents as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioners are also involved in the present case.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioners on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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