

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32577 of 2023

Arising Out of PS. Case No.-175 Year-2022 Thana- CHAUTHAM District- Khagaria

1. Prabhash Yadav Son Of Shyamsundar Yadav R/O Vill.- Sonbarsa, P.S.- Chautham, Distt.- Khagaria
2. Mantun Yadav Son Of Upendra Yadav R/O Vill.- Sonbarsa, P.S.- Chautham, Distt.- Khagaria
3. Bhola Singh Yadav @ Mulayam Singh Son Of Sikandar Yadav R/O Vill.- Sonbarsa, P.S.- Chautham, Distt.- Khagaria
4. Jawala Yadav Son Of Sikandar Yadav R/O Vill.- Sonbarsa, P.S.- Chautham, Distt.- Khagaria
5. Bipin Yadav Son Of Sikandar Yadav R/O Vill.- Sonbarsa, P.S.- Chautham, Distt.- Khagaria
6. Lalan Yadav Son Of Yogi Yadav R/O Vill.- Sonbarsa, P.S.- Chautham, Distt.- Khagaria
7. Mohan Yadav Son Of Late Shankar Yadav R/O Vill.- Sonbarsa, P.S.- Chautham, Distt.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Anant Kumar 1, APP
For the Informant/s	:	Mr. Santosh Kr. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 08-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. Learned counsel for the petitioner submits that the petitioner no. 2, 3 and 7 have been arrested. Accordingly, he



seeks permission to withdraw the present application.

4. Permission is accorded.

5. Accordingly, the present application is dismissed as withdrawn.

6. The petitioners are apprehending their arrest in connection with Chautham P.S. Case No. 175 of 2022 dated 02.07.2022 registered for the offences punishable under Sections 147, 148, 149, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

7. As per the prosecution case, the petitioners and the co-accused persons holding deadly weapons formed unlawful assembly at the agricultural field of the informant and abused him. They also fired on him indiscriminately due to which he sustained injury on the elbow

8. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. Learned counsel has further submitted that the injury is not mentioned in the case diary. It is further submitted that the injury is on non-vital part of the body. The petitioner no. 1 and 4 are accused in one more criminal case whereas the petitioner no. 5 and 6 are accused in two other criminal cases as stated in para



3 of the bail petition.

9. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioners.

10. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Khagaria in connection with Chautham P.S. Case No. 175 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

11. This application stands allowed.

(Chandra Prakash Singh, J)

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