

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29245 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- JAYRAMPUR District- Sheikhpura

1. Islok Kumar, son of Gutar Yadav @ Ghutar Yadav Resident of Village- Toigarh, Police Station- Jairampur, District- Sheikhpura
2. Kundan Kumar, Son of Vinesri Yadav Resident of Village- Toigarh, Police Station- Jairampur, District- Sheikhpura
3. Nikhil Raj @ Rakesh Kumar @ Rakesh, Son of Tantan Yadav Resident of Village- Toigarh, Police Station- Jairampur, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilendu Kumar Choudhary
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-04-2024 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 272, 273, 353 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and have been falsely implicated in the instant case by the informant, who is a police officer. It is next submitted that the informant alleges that he received information that accused persons of Jairampur P. S.



Case No. 81 of 2023 and Jairampur P. S. Case No. 82 of 2023 are throwing bricks and firing at each other. Accordingly, police force reached the place of occurrence, when the accused persons started pelting stones and when the police threatened to fire in the air, the accused persons fled away and thereafter, it is alleged that local spy identified 14 persons including the petitioners. Further, Ishwar Yadav and Dinesh Yadav were apprehended, when one Manoranjan Singh came along with 20-30 persons and managed to get the apprehended accused freed from the police custody.

4. The learned counsel for the petitioners submits that no specific allegation is alleged against the petitioners and they have been alleged to have been identified by the spy, which is the easiest way to implicate someone, when admittedly petitioners are persons with clean antecedent.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Sweta Choudhary, the learned Judicial Magistrate, 1st Class, Sheikhpura in connection with Jayrampur More (Jairampur) P. S. Case No.01 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioners shall verify the criminal antecedent of the petitioner and in the event, if it is found that any of the petitioners have antecedent of even one case, in that event, the present anticipatory bail application shall not be given effect to in favour of the petitioners against whom criminal antecedent is found.

(Satyavrat Verma, J)

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