

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33760 of 2024

Arising Out of PS. Case No.-335 Year-2023 Thana- PARBATTa District- Khagaria

1. Banti Yadav @ Banti Kumar Son of Anil Yadav Resident of Village- Salarpur, P.S.- Parbatta, Dist.- Khagaria
2. Bablu Yadav Son of Late Arjun Yadav Resident of Village- Salarpur, P.S.- Parbatta, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Budhilal Yadav, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-07-2024 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable in connection with Parbatta P.S. Case No.335 of 2023 under Sections 307, 302, 379, 342 and 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against six named accused persons including the petitioners against whom there is allegation that they all have assaulted the father of the informant and surrounded him and allegation of firing is also there due to which injury caused to the informant's father and he died.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. He submits that the petitioners have been falsely implicated in this



case. He also submits that there is nothing specific in the F.I.R. against the petitioners and they have alleged to be member of mob only.

5. Counsel also submits that antecedent of the petitioners is clean. He further submits that the materials come during investigation are completely contradictory and they deserve bail.

6. Learned APP for the State opposes the prayer for bail and the allegation of assault is there against the petitioners which resulted into death of the informant's father.

7. In the present facts and circumstances and allegation made, this Court is not inclined to grant anticipatory bail to the petitioners, therefore the bail application of the petitioners is hereby rejected.

8. However, trial court is directed to consider the regular bail application of the petitioners, if they surrender within two weeks and pray for regular bail without being prejudice of the present order preferably on the same day.

(Dr. Anshuman, J.)

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