

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36720 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- WARISLIGANJ District- Nawada

Bhushan Yadav @ Shashi Bhushan Yadav Son of Gaya Yadav Resident of
Village- Balwapar, P.S.- Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manmohan Kumar, Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Warsaliganj P.S. Case No. 27 of 2024 instituted for the offences under Sections 147, 148, 149, 323, 324, 332, 333, 337, 338, 307, 353 of the Indian Penal Code and 27 of the Arms Act.

3. Prosecution case, in short, is that on the alleged date and time of occurrence, two communities, i.e. Dhanuk and Yadav in order to control the business of railway rack were firing with illegal fire-arms on each other and when the informant alongwith other police personnel arrived at the place of occurrence, they saw that three persons are lying in injured condition on road, thereafter, the injured persons were sent to



Primary Health Centre, Warisaliganj in the police vehicle, but in the meantime, both groups started pelting stones and bricks on police party, as a result of which, one of the police personnel sustained injury.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that FIR has been lodged against 59 named accused persons including this petitioner and 200 unknown persons for pelting stones and making indiscriminate firing. Petitioner has got no concern with the alleged occurrence and he is just a member of mob. The allegations levelled against him are general and omnibus in nature and no any specific overt act is alleged against him. Learned counsel further referring to Annexure-4 series to the present bail application submitted that several similarly situated co-accused persons have already been granted anticipatory bail by different co-ordinate Benches of this Court. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances



of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Warsaliganj P.S. Case No. 27 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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