

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41188 of 2024

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

1. Vicky Kumar @ Vicky Yadav Son of Suresh Yadav Resident of Village-Balwapar, P.S.- Warisaliganj, District- Nawada.
2. Shrawan Kumar @ Shrawan Yadav Son of Hari Yadav Resident of Village-Khanapur, P.S.- Warisaliganj, District- Nawada.
3. Vikram Kumar @ Vikram Yadav Son of Binod 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. Deepak Kumar
For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 26-06-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Warisliganj 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 Section 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 along with 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 Center, Warisliganj in the police vehicle, but in the meantime, both groups started abusing pelting stones and bricks on police party, as a result of which, one of the police personnel sustained injury.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. Petitioners have got no concern with the alleged occurrence, they are only members of the mob. There is general and omnibus allegation levelled against the petitioners and no specific overt act alleged against them. No incriminating article has been recovered from the conscious possession of the petitioners. He further submitted that the other co-accused has already been granted anticipatory bail by this Court vide order dated 16.05.2024 passed in Cr. Misc. No. 36720 of 2024. It is next submitted that the petitioners have about three criminal antecedents.

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

6. Considering the aforesaid facts and circumstances,



let the petitioners, above named, in the event of arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court below/concerned Court in connection with Warisliganj 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)

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