

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41736 of 2024

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

1. Sofindra Yadav @ Sufindra Yadav S/O Chote Yadav R/O Village Toigarh, P.S. Jairampur, Distt-Sheikhpura
2. Pintu Kumar S/O Ramashary Yadav R/O Village Toigarh, P.S. Jairampur, Distt-Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vikramadit, Advocate

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 02-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Jairampur P.S. Case No. 01/2024 for the offence registered under Sections 147, 148, 149, 272, 273, 353 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioners submit that the petitioners have antecedent of four cases and the informant alleges that he received an information that accused persons of Jayrampur P.S. Case no. 81 of 2023 and 82 of 2023 are throwing bricks and firing at each other, accordingly the police force reached the place of occurrence, when the accused persons



started pelting stones, the police started firing in the air, the accused persons fled away and thereafter, it is alleged that local spy identified 14 persons including the petitioner, further Ram Ishwar Yadav (petitioner) and Vivek were apprehended but one Manoranjan Singh came along with 20-30 persons and managed to get the apprehended accused freed from the police custody.

4. Learned counsel for the petitioners submit that from perusal of the allegation as alleged in the FIR, it would manifest that they came to be implicated based on the facts that they were identified by the Spy. It is also submitted that since the petitioners have antecedent and as such, they have been implicated in the instant case.

4. Learned APP appearing on behalf of the State opposes the prayer for bail and submits that the petitioners have antecedent of four cases, in that event, if privilege of anticipatory bail is granted to the petitioner, they may abscond and temper with the evidence, on which, learned counsel appearing on behalf of the petitioners submit that the petitioners will not abscond rather they will cooperate in the investigation to prove their innocence.

5. Considering the submissions made by the learned counsel appearing on behalf of the petitioners, let the petitioner,



in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sheikhpura in connection with Jairampur P.S. Case No. 01 of 2024, subject to condition as laid down under Section 438(2) of the Cr.P.C., subject to condition that one of the bailor of the petitioner shall be their respective fathers, namely, Chote Yadav and Ramashary Yadav.

It is further made clear that if the Investigating Officer of the case files an application before the learned Trial Court bringing it on notice that the petitioners despite given assurance to this Court are not cooperating in the investigation, in that event, the learned trial Court shall be at liberty to cancel the bail bond of the petitioners.

Let a copy of the order be sent by the learned trial Court to the P.S.

(Satyavrat Verma, J)

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