

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60697 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- FESHAR District- Aurangabad

1. BHUSHAN YADAV SON OF UGRAH YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
2. SUJIT YADAV SON OF UGRAH YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
3. SHANKAR DAYAL YADAV SON OF LATE PARIKHA YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
4. BALIRAM YADAV SON OF LATE PARIKHA YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
5. NANDLAL YADAV SON OF CHANARIK YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
6. SARJUN YADAV SON OF CHANARIK YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
7. VIJENDRA YADAV SON OF LATE JOGI YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
8. DEVIDAYAL KUMAR SON OF SRI BRJENDRA YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
9. RAJU KUMAR SON OF DEVIDAYAL KUMAR RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
10. DHANANJAY KUMAR @ DHANANJAY YADAV SON OF SURYADEO YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
11. SANJAY YADAV SON OF SURYADEO YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
12. DINESH YADAV SON OF SURYADEO YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD
13. NARAYAN YADAV SON OF RAMGAHAN YADAV RESIDENT OF VILLAGE - HARNAHI, POST - UNTHU, P.S. - FESAR, DISTRICT - AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR



... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha, Adv
For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-11-2024 Heard Mr. Anil Kumar Sinha, learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned APP for the State.

2. The petitioners apprehends their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 323, 354, 379, 307, 504, 506 of the Indian Penal Code and Sections $\frac{3}{4}$ of the Prevention of Witch (Daain) Practice Act.

3. As per the FIR, petitioners and other co-accused persons went to the house of the informant and started abusing him and his family members on the allegation of practicing witchcraft by the daughter-in-law of one Siyaram and in spite of protest, the petitioners opened fire upon the informant's side.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. It is further submitted that in the



alleged occurrence, two persons sustained injuries but the nature of injuries was simple. It is further submitted that both the sides are agnates and there is a previous dispute between them. Petitioners have one criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case, since the injuries are of simple nature and both the parties are agnates, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) **each** with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Fesar P.S. Case No.19 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

shikha/-

U		T	
---	--	---	--

