

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61120 of 2024

Arising Out of PS. Case No.-20 Year-2024 Thana- CHEWARA District- Sheikhpura

1. Dipu Yadav @ Dilip Yadav S/o- Saryug Yadav Resident of village- Nawada Bhorambag, PS-Kauakol Dist- Nawada
2. Ashok Yadav @ Ashok Kumar son of Prakash Yadav Resident of village- Nawada Bhorambag, PS-Kauakol Dist- Nawada
3. Chandu Yadav @ Chandan Kumar son of Saryug Yadav Resident of village- Nawada Bhorambag, PS-Kauakol Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Adv.
Ms. Kumari Anupam, Adv.
For the Opposite Party/s : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-12-2024 Heard learned Senior counsel for the petitioners
and learned APP for the State.

2. After some arguments, learned counsel for the
petitioners seeks permission to withdraw this application with
regard to petitioner no. 1.

3. Permission is granted.

4. Accordingly, the instant application with regard
to petitioner no. 1 is dismissed as withdrawn.

5. However, if the petitioner no. 1 surrenders before
the learned Court below within a period of six weeks from today
and seeks regular bail, the learned Court below would pass the



order, preferably, on the same day, without being prejudiced by this order.

6. Now, this application is being heard only with regard to petitioners no. 2 and 3.

7. Heard learned Senior counsel for the petitioners and learned A.P.P. for the State.

8. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 of the Indian Penal Code and Section 27 of the Arms Act.

9. As per the prosecution case, on 06.03.2024 at 8:30 A.M., when the informant was going to High School by motorcycle, then on the way all the FIR named accused persons, including the petitioners, stopped him and brutally assaulted him and also snatched gold chain along with mobile and bike key.

10. Learned counsel for the petitioners submits that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific allegation against the petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.



11. Learned APP for the State opposes prayer for anticipatory bail.

12. Having regard to the facts and circumstances of the case and the fact that there is no specific overt act against the petitioner nos. 2 and 3, let the above named petitioner nos. 2 and 3, 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 lower Court where the case is pending/successor Court in connection with Chewara P.S. Case No.20 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

13. Accordingly, this application is partly allowed.

(Anjani Kumar Sharan, J)

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