

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69652 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- BARHAT District- Jamui

1. Kailash Yadav S/o- Girja Yadav R/o - Bangama, P.S - Barhat, District - Jamui
2. Bablu Yadav @ Bablu Kumar Son of Late Dwarika Yadav R/o - Bangama, P.S - Barhat, District - Jamui
3. Sikandar Yadav @ Sakindar yadav Son of Late Dwarika Yadav R/o - Bangama, P.S - Barhat, District - Jamui
4. Pradeep Yadav @ Pradeep Kumar Son of Girja Yadav R/o - Bangama, P.S - Barhat, District - Jamui
5. Ranjeet Yadav @ Ranjeet Son of Girja Yadav R/o - Bangama, P.S - Barhat, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv.
For the Opposite Party/s : Mr. Amitesh Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 17-10-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioners seeks permission to withdraw this application in respect of petitioner nos. 3 & 5, submitting that during pendency of this application petitioner nos.3 & 5 have been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application is dismissed as withdrawn in respect of petitioner nos.3 & 5.



5. Now this application survives for petitioner nos. 1, 2 & 4 only.

6. The petitioners apprehend their arrest in connection with Barhat P.S. Case No. 40 of 2024 registered for the offences punishable under Sections 341, 323, 325, 307, 353, 354(B), 504, 506, 34 of the Indian Penal Code and Section 37 of the Bihar Prohibition and Excise Amendment Act, 2022.

7. The prosecution case, in brief, is that the petitioners have assaulted the police party and outraged the modesty of woman police personnel. They have inflicted injuries upon 11 police personnel.

8. It is submitted by learned counsel for the petitioners that the petitioners are quite innocent and have committed no offence. No such occurrence as alleged has ever taken place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is totally false and based on concocted facts. No specific allegation has been attributed against the petitioners. They were only members of the mob. It is further submitted that the similarly situated co-accused have been enlarged on bail by a co-ordinate bench of this court vide order dated 01.10.2024 passed in Cr. Misc. No. 66215 of 2024. Petitioners have no



criminal antecedent as mentioned in para-3 of this application.

9. Learned APP for the State opposes the prayer for bail.

10. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge petitioner nos. 1,2&4 on anticipatory bail. The prayer for anticipatory bail of the petitioners is hereby rejected.

(Anjani Kumar Sharan, J)

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