

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71184 of 2023

Arising Out of PS. Case No.-300 Year-2022 Thana- MUNGER MUFFASIL District- Munger

1. PAPPU YADAV SON OF LATE PANNALAL YADAV R/O VILLAGE - TOFEER, PIR PAHAR, KAJO MAHTO TOLA, P.-S. MUFFASIL, DISTRICT- MUNGER
2. SAURAV YADAV SON OF LATE PANNALAL YADAV R/O VILLAGE - TOFEER, PIR PAHAR, KAJO MAHTO TOLA, P.S.- MUFFASIL, DISTRICT- MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deep Anshuman
For the Opposite Party/s	:	Mr. Nirmal Kumar Sinha
For the Informant	:	Mr. Paras Nath

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-04-2024 Heard the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 302, 120B of the Indian Penal Code and 27 of Arms Act.

3. As per the FIR, the petitioners along with other co-accused persons killed the brother of the informant by assaulting him.

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. There is no specific overt act against the petitioners. He further submits that the specific allegation is against the co-accused Rupesh Yadav to fire upon Mirtunjay Yadav due to which he died on the spot. Petitioners have no criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, 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 Muffasil P.S. Case No.300 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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