

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72906 of 2023**

Arising Out of PS. Case No.-197 Year-2022 Thana- SARE District- Nalanda

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1. CHUNCHUN KUMAR @ CHUNCHUN YADAV SON OF BINOD YADAV R/O VILLAGE- KAILA, P.S.- SARE, DIST.- NALANDA
  2. BINOD YADAV SON OF LATE MAHESH YADAV R/O VILLAGE- KAILA, P.S.- SARE, DIST.- NALANDA
  3. KAUSHAL KUMAR @ KAUSHAL YADAV SON OF SANJAN YADAV R/O VILLAGE- KAILA, P.S.- SARE, DIST.- NALANDA
  4. DEEPAK KUMAR SON OF SANJAN YADAV R/O VILLAGE- KAILA, P.S.- SARE, DIST.- NALANDA
  5. PRINCE KUMAR SON OF JANKI MISTRI R/O VILLAGE- KAILA, P.S.- SARE, DIST.- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar, Advocate  
For the Opposite Party/s : Mr. Chandrabhushan Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 4      22-03-2024                      1. Heard learned counsel for the petitioner and learned APP for the State.
2. The petitioner No.2, 3 and 4 seek bail in anticipation of his arrest in a case registered for the offences punishable under Sections 143, 144, 147, 148, 149, 188, 290, 291, 341, 323, 307, 353, 120(B) of the Indian Penal Code.
3. The learned counsel for the petitioners submits that the petitioner No.2 has antecedent of four cases, petitioner No.3 has antecedent of three cases and petitioner No.4 has antecedent



of one case and the informant. It is further submitted that the instant F.I.R. has been instituted by the informant against 22 named accused persons and 4-5 unknown persons with an allegation that the accused persons were firing during a cultural programme in the premises of Rajendra Library. Learned counsel next submits that the allegation are general and omnibus in nature. The F.I.R. does not disclose as to who among the accused persons were firing. It is further submitted that whether the firing was committed or not and the the informant only to give serious colour to the case falsely alleged that the accused persons were firing is also an issue which needs consideration as no one sustained any fire arm injury. It is further submitted that the petitioners have been roped in the present case for the reasons that they have antecedent. It is next submitted petitioners will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. opposes the bail application.

5. Consideration the submissions made by the learned counsel for the petitioners, petitioner No.2, 3 and 4, above-named, in the event of their arrest or surrender before the learned Court below withing a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of



Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-VI, Nalanda at Biharsharif, in connection with Sare P.S. Case No. 197 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. However, it is made clear that in the event if the Investigating officer of the case filed an application before the learned trial Court that petitioner despite giving assurance to the Court are not cooperating in the investigation, in that event the learned trial Court shall forthwith cancelled the bail-bond of the petitioner and take all coercive steps.

7. Let a copy of this order be sent to the concerned Police station through learned trial Court.

**(Satyavrat Verma, J)**

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