

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83340 of 2023

Arising Out of PS. Case No.-743 Year-2023 Thana- BARACHATTI District- Gaya

1. Ashok Yadav Son Of Lakhan Yadav R/O Village- Masaundhi, P.S.- Mohanpur, District- Gaya
2. Lildhari Yadav Son Of Late Barho Yadav R/O Village- Masaundhi, P.S.- Mohanpur, District- Gaya
3. Lakhan Yadav Son Of Late Barho Yadav R/O Village- Masaundhi, P.S.- Mohanpur, District- Gaya
4. Baby Devi Wife Of Binod Yadav R/O Village- Masaundhi, P.S.- Mohanpur, District- Gaya
5. Sunita Devi Wife Of Baliram Yadav R/O Village- Masaundhi, P.S.- Mohanpur, District- Gaya
6. Kalo Devi D/O Bishun Yadav R/O Village- Manjura, P.S.- Mohanpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad
For the Opposite Party/s : Mrs. Rina Sinha

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Learned counsel for the petitioner seeks permission to withdraw this application with regard to petitioner no. 2 submitting that during pendency of this application the petitioner no. 2 has already been apprehended by the police.

3. Permission is granted.

4. Accordingly, this application with regard to



petitioner no. 2 is dismissed as withdrawn.

5. Now this application is being heard only with regard to petitioners no. 1, 3, 4, 5 and 6.

6. Heard learned counsel for the petitioners and learned APP for the State.

7. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 186, 341, 323, 333, 353, 307, 504 and 506 of the Indian Penal Code.

8. As per the prosecution case, the petitioners along with other co-accused persons are said to have assaulted the police party, who went to brought the tractor which was recovered as per Forest Act.

9. Learned counsel for the petitioners submits that petitioners are innocent and 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 overt act against the petitioners. He further submits that no police personnel got injured in the present case, it is clear from the impugned order Petitioners have no criminal antecedent as mentioned in para-3 of this application.

10. Learned APP for the State opposes prayer for



anticipatory bail.

11. Having regard to the facts and circumstances of the case, let the above named petitioners no. 1, 3, 4, 5 and 6, 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 Barachatty (Mohanpur) P.S. Case No.743 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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