

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84635 of 2024

Arising Out of PS. Case No.-369 Year-2024 Thana- PARBATTa District- Khagaria

1. Jiwan Yadav @ Jeevan Yadav S/o Chandrashekhar Yadav Resident of Village- Baisa, PS- Maraiya (Parbatta), District- Khagaria
2. Indradeo Yadav S/o Late Ramotar Yadav Resident of Village- Baisa, PS- Maraiya (Parbatta), District- Khagaria
3. Bittu Yadav @ Bittu Kumar S/o Indradeo Yadav Resident of Village- Baisa, PS- Maraiya (Parbatta), District- Khagaria
4. Saurav Kumar @ Ajay Kumar S/o Budhilal Yadav Resident of Village- Baisa, PS- Maraiya (Parbatta), District- Khagaria

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate
For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-12-2024 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Parbatta (Maraiya) P.S. Case No.369 of 2024 for the offences punishable under Sections 126 (2), 303 (2), 109, 352, 351 (2), 351 (3) & 3 (5) of the B.N.S. and Section 27 of the Arms Act.

3. All the F.I.R. named accused including these petitioners are said to have resorted firing and they also snatched gold chakti from the neck of Jitendra Yadav.



4. The petitioners are quite innocent and have been falsely implicated in this case due to dirty village politics. The allegations levelled against the petitioners is general and omnibus in nature. There is delay of four days in lodging the F.I.R. without assigning any plausible reason for the said delay. There is case and counter case between the parties. It is further submitted that the F.I.R. does not contain the signature of the informant. It is further submitted that none has received any fire arm injury. Petitioner no.1 has two criminal antecedents, petitioner no.4 has one criminal antecedent and other petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Per contra, learned APP for the State vehemently opposing the bail petition submitted that the allegations levelled against the petitioners is serious in nature, hence they do not deserve anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioners on bail. The prayer for bail of the petitioners is hereby rejected.

7. However, if the petitioners surrender before the learned Court below within six weeks from today and seek regular bail the learned Court below would pass order on the



same day in accordance with law without being prejudiced by
this order.

(Anjani Kumar Sharan, J)

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