IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5620 of 2024

Arising Out of PS. Case No.-387 Year-2015 Thana- GAYA MUFASIL District- Gaya

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1. Pappu Yadav @ Sanjay Kumar Son Of Late Bhola Yadav @ Nand Kishor Yadav Resident Of Village - Ganjas, P.S. - Muffasil, District - Gaya, Bihar
2. Virendra Narayan Singh Son Of Ram Bilas Singh Resident Of Village - Ganjas, P.S. - Muffasil, District - Gaya, Bihar
3. Congress Yadav Son Of Ram Briksha Yadav Resident Of Village - Ganjas, P.S. - Muffasil, District - Gaya, Bihar

... ... Petitioner/s

Versus

The State Of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-02-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Muffasil P.S. Case No. 387 of 2015 dated 17.10.2015 instituted for the offence punishable under Sections 147, 148, 149, 341, 323, 332, 333, 353, 307, 504 of the Indian Penal Code and 27 of the Arms Act.

3. The prosecution case, in short, is that the police received information that there was tense situation between people of two villagers, in which the petitioners were also involved. On this information, the police party arrived and tried

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to pacify the matter, but the mob became aggressive and started pelting stones, resultingly some police personnels received injuries.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the present F.I.R. has been lodged against the 33 named accused persons and 400-500 unknown persons. Learned counsel for the petitioners submits that the petitioners has been named in the F.I.R. It is submitted that there is no specific overtact against the petitioners, rather there is general and omnibus allegation against the petitioners. It is submitted that similarly situated co-accused persons have been granted anticipatory bail vide order dated 31.03.2016 passed by a co-ordinate Bench of this Court in Criminal Miscellaneous No.13728 of 2016. Lastly, it has been submitted that petitioners have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners within a period of six weeks from today, in connection with Muffasil P.S. Case

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No. 387 of 2015, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Gaya subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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