

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2991 of 2024

Arising Out of PS. Case No.-141 Year-2023 Thana- JADIA District- Supaul

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1. JAI PRAKASH YADAV @ RUDAL YADAV SON OF RAGHUNANDAN
YADAV Resident of Village and Panchayat- Koriapatti West, Tola- Narhi
Khunt, PS- Jadia, District- Supaul
 2. ARJUN SAH SON OF CHHUTAHRU SAH Resident of Village- Khunt,
P.S. - Jadia, District - Supaul
 3. MANISH SAH @ MANISH KUMAR GUPTA SON OF LAKHAN SAH @
DALO SAH Resident of Village- Khunt, P.S. - Jadia, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Jha

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 06-03-2024 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

2. Vide order dated 28.02.2024, the application of
anticipatory bail with regard to petitioner no. 2 has already been
withdrawn.

3. The petitioners are apprehending their arrest in
connection with Jadia P.S. Case No. 141 of 2023, registered for
the offences punishable under sections 147, 148, 149, 341, 323,



324, 307, 120(B), 504 and 506 of the Indian Penal Code and section 27 of the Arms Act.

4. As per the prosecution case, the informant and his brothers Umesh Sah, Bharat Sah and Dinesh Sah were talking at Bhagwati Stahn Chowk. Meanwhile, all the accused persons including the petitioners and some unknown came and surrounded them. The co-accused Narayan Sah fired bullet on the informant but it was missed. Thereafter, he assaulted on the informant's head with the butt of his gun. When the informant's brother Umesh Sah came to save him, the co-accused Sadanand Sah fired on his stomach and the co-accused Ramanand Sah also fired in his rib cage. Co-accused Dalo Sah @ Lakhan Sah also fired back of his shoulder, while the co-accused Ranjan Sah fired on his back, when Bharat Sah came to rescue, the petitioner no. 1 fired on his left hand and the co-accused Naresh also assaulted Bharat Sah with three-nut.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. The petitioner no. 1 has got clean antecedent whereas the petitioner no. 3 has seven criminal antecedents and he is on bail in five cases as stated in para 3 of the bail petition. It is further alleged that both the parties are agnates and there is case and



counter case between the parties. The title suit is also going on between the parties. The injury of Bharat Sah is found to be simple in nature mentioned in para 11 of the bail petition. Similarly situated co-accused Sita Devi has been granted bail by a coordinate Bench of this Court vide order dated 10.10.2023 passed in Cr. Misc. No. 63675/2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case and the nature of allegations leveled against the petitioners, let the above named petitioners no. 1 and 3, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Jadia P.S. Case No. 141 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:

(i) The petitioners are directed to remain physically present before the learned court below on each and every date, failing which



on two consecutive dates without
reasonable cause, the bail bond of the
petitioners are liable to be cancelled.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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