

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4334 of 2025

Arising Out of PS. Case No.-101 Year-2024 Thana- GHOSWARI District- Patna

1. Sharwan Yadav S/o Suresh Yadav R/o vill - Tartar, P.S. - Goshwari, Distt.- Patna
2. Ashok Yadav S/o Suresh Yadav R/o vill - Tartar, P.S. - Goshwari, Distt.- Patna
3. Rajnish Yadav S/o Suresh Yadav R/o vill - Tartar, P.S. - Goshwari, Distt.- Patna
4. Suresh Yadav S/o Buniyadi Yadav R/o vill - Tartar, P.S. - Goshwari, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-02-2025 Learned counsel for the petitioners at the outset seeks permission to withdraw the prayer for anticipatory bail with respect to petitioner no. 3, namely, Rajnish Yadav who was arrested during pendency of the anticipatory bail application.

2. Permission is accorded.

3. Accordingly, the prayer for anticipatory bail with respect to petitioner no. 3 is dismissed as withdrawn.

4. Heard learned counsel for the petitioners no. 1, 2 and 4 and learned A.P.P. for the State.

5. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 447, 323,



354, 307 and 504/34 of the Indian Penal Code as well as Section 27 of the Arms Act.

6. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of four cases, petitioner no. 2 has antecedent of three cases and petitioner no. 4 has antecedent of four cases and the informant alleges that construction work was going on in her house when fifteen persons including the petitioners came and started abusing and firing on account of which several holes were made in the gate.

7. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant on account of dispute relating to land. It is further submitted that allegation of firing is false and fabricated in order to give serious colour to the case.

8. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners and submits that petitioners carry criminal antecedent and there is allegation against them of firing based on which the gate of the informant is alleged to have been destroyed. It is further submitted that since petitioners are persons with criminal antecedent, if privilege of anticipatory bail is granted, they may abscond on which learned counsel appearing on behalf of the



petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

9. Considering the submissions made by the learned counsel for the petitioners no. 1, 2 and 4, let the petitioners no. 1, 2 and 4 above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty-five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Goshwari P.S. Case No. 101 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

10. However, if the investigating officer of the case files an application before the learned trial court bringing to its notice that the petitioners despite giving assurance to this Court are not cooperating in the investigation, the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

11. It is made clear that the petitioners will keep marking their attendance in the concerned police station which shall commence from 18.02.2025 till the investigation is not completed.



12. It is further made clear that if charge-sheet is submitted connecting the petitioners with the offence in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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