

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52720 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- HUSSAINGANJ District- Siwan

1. RANGILA KUMAR @ RANGILA YADAV S/O LATE AJAY YADAV R/o vill - Darveshpur, P.S.- Hussainganj, Distt.- Siwan, Bihar
2. Abhay Yadav S/o Late Uma Yadav @ Late Umashankar Yadav R/o vill - Darveshpur, P.S.- Hussainganj, Distt.- Siwan, Bihar
3. Babu Ram Yadav @ Baburam Chaudhari S/o Late Bhuneshwar Yadav @ Munesar Chaudhari R/o vill - Darveshpur, P.S.- Hussainganj, Distt.- Siwan, Bihar
4. Deepak Yadav @ Deepak Kumar Yadav S/o Babu Ram Yadav @ Baburam Chaudhari R/o vill - Darveshpur, P.S.- Hussainganj, Distt.- Siwan, Bihar
5. Shailesh Yadav @ Shailesh Kumar S/o Late Ajay Yadav R/o vill - Darveshpur, P.S.- Hussainganj, Distt.- Siwan, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prashant Kumar
For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.

2. Learned counsel for the petitioners after arguing vehemently for sometime, realizing his difficulty, seeks permission to withdraw the anticipatory bail application with respect to petitioner no.1, namely, Rangila Kumar @ Rangila Yadav and petitioner no.5, namely, Shailesh Yadav @ Shailesh Kumar.



3. Permission is accorded.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 191(3), 191(2), 190, 126(2), 115(2), 109, 352, 351(2) of the B.N.S.S. & Section 27 of the Arms Act.

5. Learned counsel for the petitioners submits that petitioner no.2, 3 and 4 are persons with clean antecedent and the informant alleges that on 15.05.2025 at about 9.30 P.M. all the FIR named accused persons including the petitioners assembled outside her house and started abusing her family members and fired indiscriminately in the air, further on seeing the police patrolling team, the accused fled from the spot and empty shells were recovered and given to the police.

6. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the informant. It is next submitted that it does not appear probable that petitioners who are persons with clean antecedent would have indulged in such an act. It is also submitted that no doubt empty shells were recovered from the place of occurrence but then the same was not recovered by the police but was handed over by one Ashok Kumar.

7. Learned A.P.P. for the State and the learned counsel



appearing on behalf of the informant opposes the prayer for anticipatory bail of the petitioners. The learned counsel appearing on behalf of the informant submits that in the FIR it is alleged that when police arrived, the accused persons fled away as such it cannot be alleged that informant's side managed the empty cartridges rather the cartridges which had fallen at the place of occurrence were handed over to the police but then are not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioners that petitioners are persons with clean antecedent. It is next submitted that if the privilege of anticipatory bail is granted to the petitioners, the petitioners may abscond, on which, the learned counsel appearing on behalf of the petitioners submits that petitioners will not abscond rather will cooperate in the investigation to prove their innocence.

8. Considering the submissions made by the learned counsel for the petitioners, the petitioner no.2, 3 and 4, 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.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned trial court where the



case is pending/successor court in connection with Hussainganj P.S. Case No.171/2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

9. However, it is made clear that in the event 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 co-operating in the investigation in that event the learned trial court shall be at liberty to cancel the bail bonds of the petitioners.

(Satyavrat Verma, J)

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