

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73473 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- NAUHATTA District- Saharsa

- 1. Mohan Yadav Son of Late Moti Yadav Resident of Village - Lalpur Ward No.7, P.S. - Nawhatta (Darhar OP), at present P.S. - Darhar, District - Saharsa
- 2. Kamal Kishor Yadav @ Kamal Kisor Yadav Son of Sikandar Yadav Resident of Village - Lalpur Ward No.7, P.S. - Nawhatta (Darhar OP), at present P.S. - Darhar, District - Saharsa
- 3. Sikandar Yadav Son of Late Moti Yadav Resident of Village - Lalpur Ward No.7, P.S. - Nawhatta (Darhar OP), at present P.S. - Darhar, District - Saharsa
- 4. Rupak Yadav @ Rupak Raj Son of Lakhan Yadav Resident of Village - Lalpur Ward No.7, P.S. - Nawhatta (Darhar OP), at present P.S. - Darhar, District - Saharsa
- 5. ManKishor Yadav Son of Mahendra Yadav Resident of Village - Lalpur Ward No.7, P.S. - Nawhatta (Darhar OP), at present P.S. - Darhar, District - Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-02-2025 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor appearing on behalf of the State.

2. After some argument, learned counsel for the
petitioners prays for and is granted permission to withdraw the
petition on behalf of Petitioner No. 2 (Kamal Kishor Yadav @
Kamal Kisor Yadav), Petitioner No. 4 (Rupak Yadav @ Rupak
Raj) and Petitioner No. 5 (Man Kishor Yadav).

3. The petitioners apprehend their arrest in connection



with Nawhatta (Dharhar O.P.) P.S. Case No. 29/2024 for the offences punishable under Sections 341/323/307/504/ 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

4. Learned counsel for the petitioners submits that the petitioners No. 1 and 3 are senior citizens and they have been falsely implicated in the present case. There is no allegation of firing against them.

5. Learned Additional Public Prosecutor appearing on behalf of the State has vehemently opposed the prayer for bail.

6. Considering the age of the two petitioners i.e. petitioner Nos. 1 and 3 and the fact that there is no allegation of firing against them, their application for grant of anticipatory bail is allowed and the prayer for grant of anticipatory bail of **petitioner Nos. 2, 4 and 5 is rejected** with a direction to them to surrender and pray for regular bail in the Court below within four weeks.

7. Let the **petitioner No. 1 (Mohan Yadav)** and **petitioner No. 3 (Sikandar Yadav)**, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on 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 Judicial



Magistrate, 1st Class, Saharsa in connection with Nawhatta (Dharhar O.P.) P.S. Case No. 29/2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

8. If the petitioner Nos. 2, 4 and 5 surrender and pray for bail after surrender within four weeks, the Court below will consider the same in accordance with law and in view of the allegations levelled against them.

(Sandeep Kumar, J)

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