

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84368 of 2025

Arising Out of PS. Case No.-115 Year-2023 Thana- CHANAN District- Lakhisarai

1. Arun Yadav @ Arun Kumar Yadav Son of Bahadur Yadav Resident of Village- Manjhwe, P.S. and District-Jamai.
2. Gorelal Yadav son of Vishun Yadav Resident of Village- Manjhwe, P.S. and District-Jamai.
3. Dhano Yadav son of Paryag Yadav Resident of Village- Manjhwe, P.S. and District-Jamai.
4. Adal Yadav son of Lildhari Yadav Resident of Village- Manjhwe, P.S. and District-Jamai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md Irshad

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-12-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Chanan P.S. Case No. 115 of 2023, registered for the offences punishable under Sections 341, 342, 323, 324, 307, 427, 34 of the Indian Penal Code.

3. In the evening of the fateful day, while the informant along with others visited the sand ghat by his personal vehicle, they found that some persons are engaged in illegally extracting sand over their tractors; however noticing the informant and others, they fled away. But later on, 30-35



persons variously armed reached there and brutally assaulted the informant and others and also damaged the vehicle of the informant.

4. Learned Advocate for the petitioners taking this Court through the FIR submitted that surprisingly the name of the petitioners and others were identified based upon the disclosure made by the accused persons while they were committing crime and, thus, *prima facie*, false implication of the petitioners can not be ruled out. In fact, only on account of previous criminal antecedent, as has been disclosed in para-3, out of which, two of them relate to Bihar Mining Act, the name of the petitioners have been implicated. The petitioners have nothing to do with the present case, moreover other co-accused persons have been granted the privilege of anticipatory bail by the court below itself in ABP No. 223 of 2025. The petitioners undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submitted that the petitioners bear three criminal antecedent and they have been identified by the informant.

6. Regard being had to be submissions made by he



learned Advocates for the parties and and considering the suspected identification of the petitioners, coupled with the fact that the co-accused persons having similar allegation have been allowed the privilege of anticipatory bail by the court below itself, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 ACJM-1st, Lakhisarai in connection with Chanan P.S. Case No. 115 of 2023, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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