

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37683 of 2014

Arising Out of PS.Case No. -141 Year- 2013 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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Chunchun Yadav, son of Late Bateshwar Yadav, resident of village
Raghunathpur, P.S.- Sahebpur Kamal, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. Rita Verma(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 15-05-2015 Heard Counsel for the petitioner and Mr. Ram
Chandra Singh, learned APP for the State.

Petitioner apprehends his arrest in connection with
Sahebpur Kamal P.S. Case No. 141 of 2013 instituted under
sections 160, 307 and 34 of the Indian Penal Code and Section 27
of the Arms Act.

On perusal of F.I.R., it appears that three accused
persons were fighting *inter se*. The fire shot by Sudin Yadav on
the petitioner hit the injured near his waist causing fire arm injury.
The submission of the petitioner is that actually the fire was shot
at him by another co-accused which hit the injured near his waist
causing fire arm injury of 1/4" X 1/4" The allegation of
commission of offence under Section 307 IPC in the facts of the
case is not made out.

Be that as it may, considering the allegation and the

injury report, I am inclined to privilege the petitioner with anticipatory bail.

In the event of arrest or surrender in the Court below within four weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Begusarai in Sahebpur Kamal P.S. Case No. 141 of 2013 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(I) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default on two consecutive occasions without any cogent/satisfactory reason, the bail bond of the petitioner shall be cancelled and thereafter the Trial Court will be at liberty to secure his arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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