

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1104 of 2017

Arising Out of PS.Case No. -65 Year- 2016 Thana -MARKAHI District- KHAGARIA

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Arvind Yadav S/o Late Sahdeo Yadav, R/o village- Rasonk, P.S. Morkahi,
District- Khagaria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-01-2017 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection
with Morkahi P.S. Case No. 65 of 2016 for the offences instituted
under Sections 341, 323, 379, 307, 34 of the Indian Penal Code
and Section 27 of the Arms Act.

The allegation against the petitioner is of giving order
to co-accused namely Santosh for opening fire, upon which co-
accused Santosh Yadav took out country made pistol from his
waist and with the butt of the said pistol started assaulting on the
face and nose of the brother of the informant.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. He has



falsely been implicated in the present case. The injury is said to be superficial in nature. Hence, no offence under Section 307 of the Indian Penal Code is made out against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Morkahi P.S. Case No. 65 of 2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Khagaria, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J.)

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