

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12415 of 2018

Arising Out of PS. Case No.-172 Year-2017 Thana- RAGHUNATHPUR District- Siwan

Raj Kishore Yadav, S/o Late Shiv Pujan Yadav, Resident of Village- Mirjapur,
P.S.- Raghunathpur, Distt- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Mritunjay Narain, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 10-04-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Raghunathpur
P.S. Case No. 172 of 2017, instituted for the offence under
Sections 448,120(B),302,34 of the IPC and Section 27 of the
Arms Act.

It is alleged in the written report that informant heard on
02.10.2017 that his father has been shot dead by Juned Khan.
Thereafter, informant came from his place of posting on 02.10.2017
and inquired about the occurrence and learnt that on 1.10.2017 at 7
p.m. Juned Khan with other accused persons which include the name
of the petitioner came to the door of the informant. It is further
alleged that co-accused Aftab Khan ordered and thereafter, this
petitioner with Sarfaraj Khan@ Baddu and Raj Kishore Yadav



caught hold his hand and Juned Khan fired from pistol in the chest of his father on account of which he died.

Case diary has been received, wherein, doctor has found one fire-arm injury in chest.

There is no specific allegation against this petitioner of causing any fire-arm injury to the father of the informant.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Raghunathpur P.S. Case No. 172 of 2017, to the satisfaction of the learned Additional Chief Judicial Magistrate VIII, Siwan, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (1) (bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers with the evidence or



the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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