

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.38644 of 2018**

Arising Out of PS.Case No. -33 Year- 2018 Thana -DULHIN BAZAR District- PATNA

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Vimlesh Yadav @ Sharma, S/o Ram Sevak Yadav, R/o Vill.- Kadirganj,  
Naharpar, P.S.- Dulhin Bazar, District- Patna.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Siddharth Harsh, Advocate.

For the Opposite Party/s : Mr. S.M. Rahman, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

2      04-07-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Dulhin Bazar P.S.**

**Case No. 33 of 2018** instituted for the offence under Sections 308, 326  
of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that he caused  
firearm injury on the right leg of the informant, on account of which, he  
fell down.

Learned Sessions Judge has mentioned in the impugned  
order that in the case diary there was no injury report attached with it.

Learned counsel for the petitioner has submitted that  
altercation had taken place when the informant went to purchase  
kerosene oil. The petitioner came near the dealer and abused the  
informant. It has further been submitted that no injury report is  
available as alleged in the written report.



Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Dulhin Bazar P.S. Case No. 33 of 2018**, he shall 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 learned **Additional Chief Judicial Magistrate-III, Danapur, Distt. Patna**, subject to the conditions as laid down under Section 438 (2) 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 date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if 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.

S.Ali/-  
Rohit Kr.

(Sanjay Priya, J)

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