

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62253 of 2017

Arising Out of PS.Case No. -143 Year- 2017 Thana -SANOKHAR District- BHAGALPUR

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1. Shankar Yadav, S/o Ram Das Yadav,
2. Munna Yadav S/o Late Dharmdeo Yadav,
3. Tillo Yadav S/o Naresh Yadav, All are R/o Village- Gathaur, P.S.-
Amdanda, District- Bhagalpur.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-01-2018 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sanokhar (Amdanda) PS case no. 143 of 2017 registered for the offences punishable under Sections 307/34 of Indian Penal Code and Sections 25(1-b)a, 26, 27 of Arms Act.

The allegation of the prosecution is that when the informant had gone to the house of one Sudhir Yadav to demand his debt amounting of Rs. 5,000/-, altercation took place whereafter, the informant is said to have returned back to his house. It is further alleged that when the informant was returning to his house, on the way FIR named accused persons who were hiding in the nearby place, had fired on the informant whereafter, the villagers had come at the place of



occurrence and had caught Sudhir Yadav, from whom, one countrymade loaded pistol was recovered.

The learned counsel for the petitioners submits that there is no allegation of any overt act as against the petitioners herein, no recovery of any weapon has been made from the petitioners herein and as far as petitioners no. 1 and 2 are concerned, they have clean antecedent while one case is pending against petitioner no. 3 in which he is on bail.

Having regard to the facts and circumstances of the case, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail, in the event of their arrest or surrender within six weeks from the date of receipt/ production of a copy of this order before the court below on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-IV, Bhagalpur in connection with Sanokhar (Amdanda) PS case no. 143 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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