

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52012 of 2018

Arising Out of PS. Case No.-121 Year-2018 Thana- KISHUNPUR District- Supaul

Dipak Yadav S/o Bipin Yadav @ Vipin Kumar Yadav, R/o Vill.- Singiavan,
P.S.- Kishanpur, Police Station- Kishanpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun
		Mr. Agreya Pratap
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor on behalf of the State.

This application for anticipatory bail arises out of Kishanpur P.S. Case No. 121/18 for the offence under Sections 341, 323, 324, 384, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

There is allegation against the petitioner of having opened fire on the informant with an intention to snatch his valuables. The fire, admittedly, missed the informant. The occurrence is said to have taken place on a public road.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has been implicated falsely and the occurrence appears to have taken place at the spur of the moment. He contends that the petitioner has no criminal



antecedent. He submits that it is highly improbable that the victim would know the names of all the miscreants who are said to have committed the offence. I find some substance in the submission of the learned counsel for the petitioner.

Considering the nature of accusation and submissions advanced on behalf of the petitioner, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Supaul, in connection with Kishanpur P.S. Case No. 121/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Pawan/Ragini

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