

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39747 of 2018

Arising Out of PS.Case No. -77 Year- 2015 Thana -DANIYAWA District- PATNA

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Raghuvindra Yadav, S/o Brahmanand Singh, R/o Vill.- Kohawan, P.S.-
Daniyawan, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate.

For the Opposite Party/s : Mr. Mukteshwar Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-08-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Daniyawan**
P.S. Case No. 77 of 2015 instituted for the offence under Sections
302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner has submitted that
in the written report there is specific allegation of causing firearm
injury to the son of the informant against Dinesh Yadav who died
during course of treatment. Petitioner is only alleged to have
caught hands of son of the informant. It has been submitted that
statement of family members of the deceased has been recorded in
paragraphs-8, 9, 10, 11 and 12 of the case diary wherein none of
them have taken name of the petitioner. It has further been
submitted that informant himself has filed petition in the court



below (Annexure-2) wherein he has stated that he has named this petitioner on the saying of the villagers.

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 **Daniyawan P.S. Case No. 77 of 2015**, 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, Patna City**, 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.

(Sanjay Priya, J)

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