

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66789 of 2018

Arising Out of PS.Case No. -56 Year- 2018 Thana -KASIMBAZAR District- MUNGER

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Rahul Yadav, S/o Rakesh Yadav, Resident of Village/Mohalla-Shastri
Nagar, Road No. 2 , P.s. Kasim Bazar, District-Munger.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 341, 323, 307, 34 of the Indian Penal Code and 27
of the Arms Act.

The prosecution case, in brief, is that while the informant's
nephew went to purchase medicines, near Durga Asthan,
Shastrinagar, the accused persons fired upon him.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has been falsely implicated in the present case. There is
case and counter case between the parties. Free fight is alleged to
have taken place. The nature of injury is said to be simple. No



offence u/S 307 of the Indian Penal Code is made out. Rest of the offences are triable by Magistrate. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Kasim Bazar P.S. Case No. 56 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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