

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39683 of 2018

Arising Out of PS.Case No. -426 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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1. Chhotu Yadav S/o Ramji Yadav, R/o Vill.- Jamira, P.S.- Ara Muffasil,
District- Bhojpur (Ara).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Ara Town P.S. Case No. 426 of 2017, registered for the offences punishable under Sections 326, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation, as per the F.I.R., against the petitioner is that while the informant was purchasing fruits the petitioner along with other co-accused persons came on motor cycle to the informant and the co-accused Bharat Singh and Ravi Singh had fired upon the informant causing injury in left side of his abdomen.

Submission of learned counsel for the petitioner is that there is no specific allegation of firing against him. Furrther



submission is that co-accused, Bharat Yadav, against whom allegation of firing has been attributed, has already been granted privilege of anticipatory bail by coordinate Bench of this Court vide order dated 01.11.2017 passed in Cr.Misc. No.51080 of 2017.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara, in Ara Town P.S. Case No.426 of 2017, subject to conditions as laid down under section 438 (2) of the Code of Criminal Procedure and further conditions are that one of the bailors shall be a local person having sufficient immovable properties within the jurisdiction of court concerned and further condition is that he has to co-operate in the investigation of the case and make himself available as and when required by the police, otherwise the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is



allowed.

(Vinod Kumar Sinha, J)

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