

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7629 of 2018

Arising Out of PS. Case No.-274 Year-2017 Thana- NAUBATPUR District- Patna

Mukesh Yadav S/o Sri Girija Yadav, R/o Village- Bala Thakur, P.S.-
Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Prasad Yadav

For the Opposite Party/s : Mr. Sri Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 02-04-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Naubatpur P.S. Case No. 274 of 2017 registered for the offence punishable under Sections 147, 148, 149, 323, 324, 325, 326, 307, 302, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the petitioner along with other accused persons having apprehended the informant, his son and his nephew and thereafter, it is said that they had assaulted them. It is further alleged that as far as the petitioner is concerned, he was carrying country made pistol while the other accused persons were carrying sharp cutting weapons.

The learned counsel for the petitioner submits that the postmortem report would bear out that there is no gun shot



injury / firearm injury on the person of the deceased, hence, it is clear that the petitioner had not engaged in any overt act. It is also the case of the petitioner that the present case arises out of case and counter case and a land dispute is pending amongst the parties. It is further submitted that the petitioner is having a clean antecedent.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Danapur in connection with Naubatpur P.S. Case No. 274 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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