

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4372 of 2018

Arising Out of PS.Case No. -233 Year- 2017 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

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1. Jitendra Prasad @ Jitendra Yadav Son of Krishna Yadav, Resident of
Village-oli Bigha, P.S. Chandi, Dist.-Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-02-2018 Heard the learned counsels for the petitioner and the

State.

The petitioner seeks bail in anticipation of his arrest
in connection with Chandi P.S. Case No. 233 of 2017 dated
13.07.2017 instituted for the offences under Sections 147, 148,
149, 337, 307 and 353 of the Indian Penal Code and Section 27 of
the Arms Act.

The allegation in the FIR is that when the police
party had gone to arrest accused persons viz. Subhash Yadav,
Sanju Gope, Khokhan Gope and Mahuri Yadav, about 12 named
accused persons including the petitioner came and with a view to
prevent the police party from arresting them, indulged in reckless
firing and stone pelting.

Learned counsel for the petitioner however submits
that despite the aforesaid allegation in the FIR, none of the



members of the police party were hurt/injured. It has further been submitted that the petitioner has falsely been implicated in this case when he was not even present at the place of occurrence. Some of the accused persons of this case having similar allegations against them, have been granted the privilege of anticipatory bail. Two of them viz. Arjun Yadav and Yogendra Yadav have been granted anticipatory bail by the High Court by order dated 17.01.2018 passed in Cr. Misc. No. 2853 of 2018.

Considering the fact that no specific overt act has been attributed against the petitioner and the nature of accusation levelled against all the accused persons, the petitioner above named is directed to be released in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Hilsa, Nalanda in connection with Chandi P.S. Case No. 233 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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