

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74616 of 2018

Arising Out of PS. Case No.-542 Year-2018 Thana- KHAGARIA District- Khagaria

Kiro Yadav, Son of Late Harilal Yadav, Resident of Village-Mourkahi
Hathwan, Police Station Alauli, Distt.-Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shekhar Kumar Singh, Advocate.
For the Opposite Party : Mr. Anil Kumar Singh 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 302/34 of the IPC and 27
of the Arms Act.

The prosecution story, in brief, is that on 10.08.2018
at about 7.00 P.M., the informant alongwith his father, Sikandar
Rai and Angad Rai was going towards Ghee Shop of Arun
Singh situated at Mill Road, Khagaria. In the way, he alongwith
his associates began to talk and his father was entering into
Ghee Shop. Suddenly, he heard the sound of firing on which
they ran towards Ghee Shop and saw that nine culprits on three



motorcycles including the petitioner were fleeing away. Co-accused Rajesh Yadav and Pappu Yadav were the assailants who made firing. The informant also identified the petitioner alongwith others.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner is aged 90 years. For oblique reason, the petitioner has been implicated in the present case. Allegation of assault is alleged against co-accused Rajesh Yadav and Pappu Yadav.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or 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 the learned C.J.M. Khagaria, in connection with Khagaria P.S. Case No. 542 of 2018, corresponding to G.R. No. 2223 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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