

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12312 of 2018

Arising Out of PS.Case No. -308 Year- 2017 Thana -BELAGANJ District- GAYA

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1. Bikash Yadav, son of Ajay Yadav, resident of village- Harigawn, P.S.-
Belaganj, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 08-03-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Belaganj P.S.**

Case No.308 of 2017 instituted for the offence under Section(s)
307 and other allied sections of the Indian Penal Code and
Section 27 of the Arms Act.

Counsel for the petitioner has submitted that there is
general and omnibus allegation against the petitioner. It is alleged
in the written report that Vikash Yadav called the younger
brother of the informant and his wife and took them ahead about
200 mtrs. where other accused persons, as named in the written
report, assaulted them armed with deadly weapons. It is further
alleged that Sanjeet Yadav put a *Gamcha* around the neck of his
younger brother and Mahesh Yadav fired causing fire arm injury
below the temple region on his cheek and his brother fell down.



In this manner, there is no allegation against the petitioners of causing fire arm injury and assaulting the brother of the informant.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with **Belaganj P.S. Case No.308 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, XI, Gaya**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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