

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10470 of 2019

Arising Out of PS. Case No.-106 Year-2018 Thana- MAGADH UNIVERSITY District- Gaya

Mahesh Yadav, aged about 50 years, Male, S/o Late Nanhak Yadav, R/o Village New Taradih, P.S. Bodh Gaya, District Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manindra Kishore Singh

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 25-02-2019 Heard Mr. Manindra Kishore Singh, the learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in Magadh University P.S. Case No.106 of 2018, registered under Section 307 and other sections of the Indian Penal Code as well as under Section 27 of the Arms Act.

The informant named the petitioner along with six other accused persons and alleged that Shankar Yadav caught his collar, Ram Swaroop Yadav caught his neck, Sanjay Kumar Ranjan caught his both hands, Mahesh Yadav, the petitioner, caught his waist, Dhananjay Kumar @ Chhotu Singh caught his collar from behind and Tinku Singh caught his hair. On the order of Shankar Yadav, Ram Swaroop Yadav @ Master and Mahesh Yadav, Shankar Kumar @ Sri Yadav aimed at his private part and fired but the firing hit on his armpit.



Learned counsel for the petitioner submits that Sanjay Kumar Ranjan, Dhananjay Kumar @ Chhotu Singh and Tinku Singh have already been granted anticipatory bail by the learned Additional District & Sessions Judge-VIII, Gaya. The petitioner is also alleged to have caught the waist of the informant on which Shankar Kumar @ Sri Yadav is said to have fired. The case of the petitioner stands on the same footing as that of Sanjay Kumar Ranjan, Dhananjay Kumar @ Chhotu Singh and Tinku Singh. Two lacerated wounds were found, which are opined to be simple in nature.

Taking into consideration the facts that similarly situated other three accused persons, namely, Sanjay Kumar Ranjan, Dhananjay Kumar @ Chhotu Singh and Tinku Singh have already been enlarged on anticipatory bail and the case of the petitioner stands on the same footing, the petitioner is directed to surrender in the court below within four weeks from the date of receipt of this order and on such the learned court below shall enlarge the petitioner on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Gaya in connection with Magadh University P.S. Case No.106 of 2018.

(Prabhat Kumar Jha, J)

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