

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.846 of 2019

Arising Out of PS. Case No.-499 Year-2018 Thana- BAKHTIYARPUR District- Patna

Barun Yadav @ Barun Kumar son of Kapil Yadav, Resident of Village-
Raghopur, Police Station-Bakhtiyarpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap
For the Opposite Party/s : Sri Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 28-01-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Bakhtiyarpur P.S. Case No. 499 of
2018 registered for offence punishable under sections 147, 148,
149, 341, 323, 307, 427, 353, 283 of the Indian Penal Code and
27 of the Arms Act.

The Police has apprehended two drunken persons
whereupon about 150-200 persons of locality assembled and
started brick-batting on the police personnel in order to get
release of those persons who were apprehended by the Police.

The learned counsel for the petitioner submits that
there is no specific allegation against this petitioner, as has
been mentioned that he is running a tea shop near the place of



occurrence and on that account he has been implicated in the present case with false and frivolous allegation.

Considering the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 499 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. If the petitioner is found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of his bail.

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(Shivaji Pandey, J)

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