

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45156 of 2019

Arising Out of PS. Case No.-143 Year-2019 Thana- GOGRI District- Khagaria

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Guddu Yadav Son of Subodh Yadav Resident of Village - Shergarh, P.S.-
Gogari, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-07-2019 Heard learned counsel for the petitioner and

learned APP representing the State.

The petitioner apprehends his arrest in connection with Gogari P.S. Case No. 143 of 2019, registered under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that petitioner, along with one Nehru Yadav, fired upon the informant with intention to kill him, causing injury in the chest of the informant. It has further been alleged that the petitioner, Guddu Yadav, fired upon brother of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner and informant belong to same village and



there was a dispute pertaining to murder of his relative. He further submits that there is no criminal antecedent against the petitioner and the informant is a veteran criminal having various cases of murder. Learned counsel for the petitioner has stated in paragraph 6 of this application the details of two cases bearing Gogari P.S. Case No. 312 of 2006 and Bihpur P.S. Case No. 300 of 2015, registered against the informant under Section 302 and other sections of the Indian Penal Code. He further submits that allegation of assault upon the informant is against Nehru Yadav and not against the petitioner and the petitioner has allegedly fired upon brother of the informant, which, admittedly, did not hit his brother.

After having heard learned counsel for the parties and taking into consideration the fact that firing made by the petitioner did not hit anybody and further various cases are registered against the informant, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the



satisfaction of the learned Chief Judicial Magistrate, Khagaria in connection with Gogari P. S. Case No. 143 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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