

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51759 of 2019

Arising Out of PS. Case No.-236 Year-2018 Thana- KOTWALI District- Munger

BAHIRA YADAV @ DASHRATH YADAV Son of Gajo Yadav Resident of
Village / Mohalla - Shadipur, P.S.- Kotwali, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

For the State : Dr.(Mrs.) Indiwari Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 20-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kotwali P.S. Case No. 236 of 2018, disclosing offences under Sections 324, and 307/34 of the Indian Penal Code, including Section 27 of the Arms Act.

Learned counsel, appearing on behalf of the petitioner, has submitted that considering the allegation made in the FIR, as the main accusation of having opened fire is against the co-accused Chandan Yadav, a Co-ordinate Bench of this Court has allowed anticipatory bail by order dated 11.02.2019, passed in Cr. Misc. No. 7673 of 2019, to the co-accused Bhola Yadav. He submits that there is nothing to distinguish the case of this petitioner with that of the co-accused Bhola Yadav.



Considering the above submission and the background of the allegation in the FIR, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on 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 Chief Judicial Magistrate, Munger in Kotwali P.S. Case No. 236 of 2018, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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