

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15252 of 2020**

Arising Out of PS. Case No.-196 Year-2019 Thana- SULTANGANJ District- Bhagalpur

PAWAN YADAV Son of Ashok Yadav Resident of Village - Mirhatti, P.S.-
Sultanganj, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha
For the Opposite Party/s : Mr. B. N. Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 08-09-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner apprehends his arrest in Sultanganj P.S. case No. 196/2019 registered under Section 341, 323, 427, 307/34 of the IPC and u/s 27 of Arms Act.

The informant alleged that petitioner and others grazing his paddy crops and when the informant forbid the accused persons assaulted the informant. Pawan Yadav, the petitioner, and others are alleged to have opened fire which did not hit the informant.

The learned counsel for the petitioner submits that on the same date Sangeeta Devi filed Complaint case No. 1377/2019 and when the informant came to know about the institution of the complaint case the informant filed the present case on 07.08.2019. It is further submitted that no empty cartridge was found at the place of occurrence. Other accused persons have already been granted anticipatory bail and prayer



of petitioner for anticipatory bail was rejected on the ground that there is allegation of firing against him but there is no material to show that the petitioner fired. The allegation of firing is made only to made the case graver.

Taking into consideration the facts that, of course, the petitioner is alleged to have fired but no empty cartridge was found at the place of occurrence nor anybody got any injury in the firing, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Bhagalpur in connection with Sultanganj P.S. case No. 196/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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