

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87400 of 2019

Arising Out of PS. Case No.-39 Year-2019 Thana- BARHARA KOTHI District- Purnia

KAUSHAL YADAV @ KAUSHAL KISHORE YADAV Son of Late Balo
Yadav Resident of Village - Siswa, P.S.- Barhara (Raghubansh Nagar), Distt -
Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Pratap Singh
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 24-01-2020 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Barhara (Raghubansh Nagar) PS case no. 39
of 2019 registered for the offences punishable under Section 307
and other sections of Indian Penal Code, 27 of Arms Act and 3/4
of Explosive Substance Act.

The allegation is regarding the accused persons
including the petitioner herein having formed a mob of 20-25
persons, had intercepted the vehicle of the informant, had also
made indiscriminate firing on the father of the informant and
had also exploded bombs.

The learned counsel for the petitioner has



submitted that the petitioner has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that general and omnibus allegation has been levelled against the petitioner herein and no specific allegation of any sort of overt act has been levelled, as far as the petitioner is concerned as also no injury has been specifically attributed to the petitioner herein, which has been sustained by the father of the informant.

Having regard to the facts and circumstances of the case, considering submissions made by the learned counsel for the petitioner coupled with the fact that the petitioner is having a clean antecedent and no specific allegation is alleged *qua* the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Purnea in connection with Barhara (Raghubansh Nagar) PS case no. 39 of



2019 subject to the conditions as laid down under Section
438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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