

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20833 of 2020

Arising Out of PS. Case No.-74 Year-2019 Thana- DULHIN BAZAR District- Patna

MAHESH YADAV Son of Mahendra Yadav Resident of Village - Pansuhi,
P.S.- Dulhin Bazar, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jayram Sharma

For the Opposite Party/s : Mr. Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

3 25-01-2021 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Dulhin Bazar P.S. Case No. 74/2019 registered for the offences
punishable under Sections 341, 307/34 of the Indian Penal
Code.

Petitioner and others are said to have surrounded the
informant and petitioner as well as one other FIR named
accused opened fire on the informant but, luckily, informant
escaped unhurt.

Learned counsel of the petitioner submits that no such
occurrence as alleged in the written report of informant did ever
take place and, as a matter of fact, the informant brought the
present case due to previous enmity. He, further, submits that on
the alleged date of occurrence, it was prosecution party, who
assaulted the petitioner and others for which a complaint case



was lodged against prosecution party.

No doubt, petitioner does have criminal antecedents of two cases but it appears that the aforesaid cases were lodged by members of prosecution party of this case. Moreover, admittedly, none had sustained any injury in the present case and having more or less similar allegation, co-accused Binod Yadav and Dhananjay Klumar @ Dhananjay Yadav @ Chaitu Yadav have already been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 28.2.2020.

Accordingly, this anticipatory bail petition is allowed and it is ordered that above named petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall 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 learned Additional Chief Judicial Magistrate 3rd, Danapur/concerned court in Dulhin Bazar P.S. Case No. 74/2019 subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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