

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5348 of 2022

Arising Out of PS. Case No.-111 Year-2020 Thana- ALOULI District- Khagaria

Raj Kumar Yadav, S/O Batoram Yadav R/O Village- Sahshi, P.S.- Alauli,
Distt.- Khagaria

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh
For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-08-2022 The learned counsel for the petitioner seeks permission to correct the name of the father of the petitioner in the anticipatory bail application as it has been typed as Batoram Yadav instead of Batoran Yadav during course of the day.

Permission is accorded.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 341, 385, 387, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the informant



alleges that on 27.03.2020 at about 5.00 P.M., he had gone to Hajipur market for purchasing some articles where he met his staff Manish Singh. It is next alleged that thereafter, all the nine named accused persons including the petitioner and some 4-5 unknown armed with weapon came and Pankaj Yadav demanded extortion of Rs. Five Lacs. Thereafter, it is alleged that Md. Rabban fired upon the informant, but missed. Further, when his staff Manish Singh came to his rescue, then Pankaj Yadav shot him on his neck. It is next alleged that seeing the occurrence, people started gathering when all the accused fled from the place of occurrence and while fleeing, it is alleged that petitioner and Prabhash Yadav fired which did not hurt anyone.

The learned counsel for the petitioner submits that from bare perusal of the allegation as alleged in the F.I.R., it is would manifest that as far as petitioner is concerned, against him, it is alleged that he fired while escaping which did not hurt anyone. It is also submitted that specific allegation of firing is against Pankaj Yadav of causing injury on the neck of Manish. The learned counsel thus submits that petitioner has been robbed with ornamental allegation of firing in order to give a serious colour to the case.

The learned Additional Public Prosecutor opposes



the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Alauli P. S. Case No.111 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C., subject to the condition that one of the bailors of the petitioner shall be his father namely, Batoran Yadav.

The application stands allowed.

(Satyavrat Verma, J)

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