

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17623 of 2022

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

RAHUL YADAV @ RAHUL KUMAR son of Varun Yadav @ Arun Yadav
Resident of Village - Sahsi, P.S. - Alouli, District - Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s: Mr. Ganesh Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

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

Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

The informant alleges that he is a businessman and has a shop at Sahsi round about and, on 27.03.2020, in the evening, the informant was going to Haripur market to purchase some household articles and on the way he was talking to his staff Manish Singh, who is the watchman of his godown, in the meantime, accused persons including the petitioner came and Pankaj Yadav demanded extortion of Rs.5,00,000/- which was



objected by the informant. It is alleged that co-accused Md. Rabban abused and ordered to kill the informant and thereafter Md. Rabban fired on the informant but missed him. It is alleged that Pankaj Yadav fired hitting Manish Singh on his neck as a result of which he fell down. It is alleged that people started gathering when the accused fled away from the place of occurrence.

Learned counsel for the petitioner submits that co-accused Md. Rabban has been granted anticipatory bail by order dated 11.07.2022 in Cr. Misc. No. 57329 of 2021 and the case of the petitioner is on a much better footing as he is alleged to be only present when the alleged occurrence took place, as such, no overt act has been alleged against him.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner and the fact that petitioner is a person with clean antecedent and the nature of allegation as alleged, 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, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties



of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Alauli P.S. Case No. 111 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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