

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35009 of 2022

Arising Out of PS. Case No.-39 Year-2021 Thana- KHIRI MORE District- Patna

ANAND KUMAR @ ANAND YADAV Son of Birbal Yadav @ Virbal Yadav
Resident of Village - Gaushganj, P.S.- Khiri More, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Surendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-11-2022 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

Let the defect(s), if any, be removed within a period of
four weeks.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 325, 307, 379
and 504/34 of the Indian Penal Code.

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

The informant alleges that while he along with his friend
were going to purchase medicine on the way he blew horn of his bike
on which Gautam Kumar assaulted by an iron rod causing injury on
his head and wrist, Upendra Kumar assaulted his friend by lathi
causing injury on his head, Pawan Kumar and Nagmani Kumar
snatched gold chain and petitioner who was armed with pistol had
given order to kill.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. It is further submitted that allegation against the petitioner is of carrying a pistol and of an order giver. It is next submitted that allegation with respect to Arms Act is ornamental as neither it is alleged that he fired nor anyone was injured rather he had been implicated by alleging that he was an order giver.

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, 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 Khiri More P.S. Case No. 39 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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