

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39947 of 2022

Arising Out of PS. Case No.-268 Year-2022 Thana- MADHEPURA District- Madhepura

PINTU YADAV @ PINTU KUMAR Son of Raj Kishore Yadav Resident of
Village - Gariya, Ward No.- 01, P.S. and District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-12-2022 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, 149, 448, 341, 323, 354(A), 307, 427, 379, 504 and 605 of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and the informant alleges that petitioner along with accused persons came to the house of informant and petitioner started firing and gave threatening to Lalan, further on his orders accused persons assaulted family members of the informant and looted valuables and three motorcycles, further from the place of occurrence three empty cartridges and an arrow was found.



Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that if petitioner had a pistol in his hand and was firing what prevented him from using it, it is next submitted that it appears that the allegation of firing against the petitioner in the air is ornamental to give serious color to the case, it is also submitted that as far as allegation of assault is alleged the same is not attributed to the petitioner rather it is alleged that it was on his orders that the accused persons assaulted, it is also submitted no doubt five persons have been injured but then the inquiry suffered by the injured is simple in nature which further demonstrates that the accused persons never had any intention of committing a serious occurrence.

The learned counsel for the petitioner next submits that petitioner will not evade the law rather will co-operate in the investigation and will appear as and when required by the Investigating Officer of the case, so that the investigation is not hampered.

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 trial court 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 trial court where the case is pending/successor court in connection with Madhepura P.S. Case No. 268 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, in the event, if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court that he will co-operate in the investigation and will present himself as and when called for, is not co-operating in the investigation, nor is appearing when required before him, then the learned trial court after giving an opportunity of hearing to the petitioner shall pass orders in accordance with law and shall also have the liberty to cancel the bail bonds of the petitioner and to take all coercive steps that he is behind bars. Further, if the Investigating Officer after investigation submits a charge-sheet against the petitioner then in that event the present anticipatory bail order shall loose its effect.



The learned trial court is directed to send a copy of
this order to the concerned Police Station.

(Satyavrat Verma, J)

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