

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52702 of 2021

Arising Out of PS. Case No.-418 Year-2020 Thana- RAHUI District- Nalanda

NAWAL YADAV Son of Siyaram Yadav Resident of Village - Dharm Singh
Bigha, P.S. - Rahui, District - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2022 Learned counsel for the petitioner is permitted to
make rectification in the pleading made at para 1 of the
anticipatory bail application in course of the day.

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 324,
307/34 of the Indian Penal Code read with Section 27 of the
Arms Act.

Learned counsel for the petitioner submits that the
petitioner has antecedent of one case.

The informant alleges that on 14.11.2020 in the
midnight, he alongwith his wife Anju Devi and sister Rubi Devi
were thrashing paddy crops in their Khalihan in the light of an
electric bulb then all the accused persons came and Subali



Yadav opened fire from his pistol which hit the finger of the left hand of the informant. It is alleged that the petitioner opened fire which crossed hitting the collar of the jacket of the informant. Thereafter, Dipak also fired which hit the informant in his back causing injury.

Learned counsel for the petitioner submits that the informant has specifically alleged that Subali Yadav opened fire from his pistol which hit the finger of the left hand of the informant as a result of which he started to flee. Learned counsel, thus, submits that when the informant was fleeing from the place of occurrence how could he see that who fired from behind hitting the collar of the jacket. It is, thus, submitted that the petitioner has been falsely implicated as it is just not humanly possible that the person who is fleeing would be able to see who fired from behind.

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 no injury was caused on account of firing made by 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.20,000/- (Rupees Twenty 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 Rahui P.S. Case No. 418 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

One of the bailors of the petitioner shall be his son-in-law Guddu Kumar.

(Satyavrat Verma, J)

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