

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42594 of 2022

Arising Out of PS. Case No.-821 Year-2021 Thana- KHAGARIA District- Khagaria

Gautam Yadav @ Gautam Kumar S/o Horil Yadav R/o village- Kumarchakki,
Ward No. 03, P.S.- Muffasil, District- Khagaria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ranjeet Kumar Singh, Advocate

For the Opposite Party : Mr.Ganesh Prasad Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner apprehends arrest in a case registered for the offence punishable under sections 307/302 and other ancillary sections of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case is that on the order of co-accused Horil Yadav, other accused persons including the petitioner made indiscriminate firing due to which informant and his son started fleeing to escape themselves. It is further alleged that co-accused Manish Yadav chased informant's son and caused fire arms injury in his knee. Victim died of the injuries during treatment.

Learned counsel for the petitioner submits that there is no specific accusation of causing fire arms injury against the petitioner. Police after investigation submitted final form against



the petitioner. Similarly situated co-accused Bulbul Devi has already been allowed anticipatory bail by the Court below itself vide impugned order dated 27.6.2022 after submission of final form. Petitioner has got no criminal antecedent.

Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in Khagaria Muffasil Police Station Case No. 821 of 2021/GR No.3274 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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