

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43326 of 2022**

Arising Out of PS. Case No.-168 Year-2021 Thana- ATRI District- Gaya

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LALTU PRASAD @ LALTU YADAV S/o Ramdeo Yadav R/o Village-
Mallahi, P.S.- Atari, District- Gaya Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Mr.Atul Chandra

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 08-12-2022 Heard learned counsel for the petitioner and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Atari P.S. Case no. 168 of 2021 instituted for the offence under Sections 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, in a barat ceremony, petitioner has opened fire due to which informant sustained injuries in his left thigh and left hand. It is further alleged that cousin brother of the informant has also sustained gun shot injuries.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. As per injury report, annexed as Annexure-2 to the petition, doctor has opined the nature of injuries as simple in nature caused by hard and blunt substance. Petitioner is cousin brother of the informant and due to family dispute, petitioner has been falsely implicated in this case. He has got no criminal antecedent. There was no intention to



cause harm to the informant but at the spur of moment the alleged incident took place. After prevailing good sense, the matter has been compromised between the parties and compromise petition is annexed as Annexure-3.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Atari P.S. Case no. 168 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-13, Gaya subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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