

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46632 of 2022

Arising Out of PS. Case No.-408 Year-2021 Thana- CHANDAUTI District- Gaya

PINTU YADAV @ PINTU KUMAR SON OF RAJ KUMAR YADAV R/O
VILLAGE- ARADIH DHARAMPUR, P.S.- CHANDAUTI AND DISTRICT-
GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No2, Advocate

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-09-2022 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 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that after finishing his work from Civil Court, Gaya, he was going to his house at 7:00 PM on 22.11.2021, when he was intercepted by the petitioner along with other co-accused and thereafter it is alleged that Kameshwar Yadav fired from his pistol causing injury over his shoulder, it is next alleged that the informant somehow managed to escape and was brought to



A.N.M.M.C.H., Gaya.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case, it is next submitted that from bare perusal of allegation as alleged in the FIR, it would manifest that petitioner has been alleged to have obstructed the way of the informant when Kameshwar Yadav fired, it is also submitted that petitioner is own cousin brother of the informant but this fact has not been disclosed in the FIR rather from perusal of the allegation it would manifest that the petitioner is a stranger who for some ulterior reasons had obstructed the way of the informant leading to the occurrence, the learned counsel for the petitioner next submits that since the petitioner, who is own cousin brother of the informant, was intending to contest the election of ward councillor which was being opposed by the informant, as such when the occurrence took place the informant took the same as an opportunity to falsely implicate his own cousin brother without disclosing the said fact in the FIR that petitioner is his own cousin brother, it is next submitted that as far as allegation of firing is alleged i.e., against Kameshwar Yadav.

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 Chandauti P.S. Case No. 408 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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