

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55384 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- SAHARSA SADAR District- Saharsa

Amit Yadav Son of Mahendra Yadav Resident of village - Panchwati Chowk
Gangjala Ward No.- 17, P.S. and District - Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance:

For the Petitioner : Mr. Subesh Sharma, Advocate
For the Opposite Party : Mr. Abhay Kumar Roy, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-12-2022 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offence punishable under section 341, 323, 307, 504/34 of the Indian Penal Code and 27 of the Arms Act.

As per the F.I.R., all the accused persons assaulted the informant by means of legs, fists and slaps. Petitioner took out *pistol* from his waist and fired upon the informant which he anyhow managed to save himself.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Petitioner has no criminal antecedent. He further submits that petitioner is handicapped by left hand, thus the allegation of firing is baseless, hence section 307 and 27 of Arms Act is not applicable against the petitioner. He further submits that no person is injured in the occurrence.



Learned APP for the State vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case and materials available on record, as the petitioner has clean antecedent, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Saharsa Sadar P.S. Case No. 120 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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