

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 6074 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- MAJHAULIA District- West Champaran

SURESH YADAV Son of Chhathu Yadav Resident of Village- Phulwariya,
P.S.- Ramgarhwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Bhagya Narayan Jha, Advocate

For the Opposite Party/s : Mr Jagdhar Prasad, APP

CORAM: HONOURABLE MR JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

4 **18-08-2023** Heard learned counsel for the petitioner and the
learned APP.

2 The petitioner apprehends arrest in Majhulia PS
Case No 239 of 2022 registered for the offence punishable
under Sections 307, 120B, 341/34 of Indian Penal Code and
Section 27 of Arms Act.

3 As per the prosecution case, two unknown
miscreants, riding on the motorcycle, opened fire as a result of
which informant sustained firearm injury on his chest and
stomach.

4 Learned counsel for the petitioner submits that the
petitioner is not named in the FIR and during the course of
investigation, the CDR of mobile phone was searched wherein it



was found that several conversations have been made by the petitioner and the FIR named accused person on the date of occurrence. Save and except this, there is no other material against the petitioner to show his complicity in the crime. The petitioner bears clean antecedent and FIR named accused Jahur Alam @ Mahto @ Md Jahur Alam has already been granted bail by this Court by order dated 19.06.223 passed in Cr Misc No 69749 of 2022.

5 Learned APP has vehemently opposed the prayer for anticipatory bail.

6 Considering the rival submissions, in the event of arrest/surrender within a period of six weeks from today, the petitioner above named be enlarged on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran, Bettiah in Majhauiliya PS Case No 239 of 2022 subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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