

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13148 of 2023**

Arising Out of PS. Case No.-276 Year-2020 Thana- BARHARA KOTHI District- Purnia

NIRAJ YADAV @ NIRAJ KUMAR SON OF DHANIK CHAND YADAV @
DHANIK LAL YADAV R/O VILLAGE- BIRANCHIYA, P.S.- BARHARA,
DISTRICT- PURNEA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 24-05-2023 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 147, 148, 149, 341, 323, 324, 325, 307, 504, 506 and 427 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR it would manifest that the informant alleges that petitioner was carrying arms and gave orders to shoot and thereafter one Mithun was also carrying carbine and he also gave an order to shoot on which it is alleged that Mithun fired, causing injury to the informant on



his right leg. The learned for the petitioner next submits that Mithun Yadav has been granted bail by order dated 28.04.2023 in Cr. Misc. No. 12510 of 2023 by a learned Co-ordinate Bench along with Prakash Yadav. It is next submitted that the case of the petitioner is on much better footing as no overt act has been alleged and has been assigned the role of an order receiver.

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 Barhara P.S. Case No. 276 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Adnan/-

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