

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12241 of 2023

Arising Out of PS. Case No.-399 Year-2018 Thana- DEEPNAGAR District- Nalanda

1. RAJESH YADAV Son of Rajendra Yadav Resident of village - Navinagar, Police Station - Deep Nagar, District - Nalanda.
2. Rakesh Yadav Son of Rajendra Yadav Resident of village - Navinagar, Police Station - Deep Nagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 302 and 120(B) of the Indian Penal Code pending in the learned court below.

As per the prosecution case, accused persons shot fired upon Rahul, thereafter the informant and others went to the house of the Rakesh Yadav (petitioner no.2) when they saw that his son Rahul received fire arm injury and his son Rahul disclosed that Co-accused Rakesh Yadav has shot fired upon him.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that after investigation the police has filed final form against the petitioner but the learned Court below differed the final form and took cognizance against the petitioner. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Deep Nagar P.S. Case No.399/2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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