

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18652 of 2023

Arising Out of PS. Case No.-168 Year-2010 Thana- MUNGER MUFFASIL District- Munger

GHURAN YADAV Son of Malik Yadav R/v- Jafarnagar, P.S.- Muffasil,
District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Adv.

For the Opposite Party/s : Mr. Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 23-06-2023 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 Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

As per the prosecution case, petitioner along with other co-accused persons entered into the house of the informant and dragged his nephew and shot him with pistol due to which nephew of the informant died.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He further submits that there is specific allegation to fire upon the deceased is on Tulsi Yadav not on the petitioner. He



submits that there is no specific overt act against the petitioner. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 06.01.2023 passed in Cr. Misc. No. 62731/2022. He further submits that petitioner has got one 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 Muffassil P.S. Case No.168/2010, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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