

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17568 of 2023

Arising Out of PS. Case No.-432 Year-2022 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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1. PRAVEEN KUMAR SON OF SURENDRA YADAV R/O VILLAGE-HARIO, P.S.- MAGADH MEDICAL, DISTRICT- GAYA
 2. SURENDRA YADAV SON OF LATE SHAIRU YADAV R/O VILLAGE-HARIO, P.S.- MAGADH MEDICAL, DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the
petitioners and learned APP for the State.

This is an application for grant of anticipatory bail in connection with Magadh Medical P.S. Case No.432 of 2022, registered for offences under Sections 341, 323, 504 and 34 of the IPC and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

The case of the prosecution, in brief, according to the informant, is that on the alleged date and time of occurrence, while he was talking to his co-villagers, the accused persons, including



the petitioners herein had arrived there, whereafter hot arguments had ensued and then the accused persons started abusing and assaulting the informant. It is further alleged that the co-accused person namely, Pranav Kumar had fired gunshots on the informant but the bullet hit the jacket of one Shamsheer Singh and when the villagers had started gathering at the place of occurrence, the petitioner no.1 had fired in the air, while fleeing away towards his house and then all the accused persons had fled away.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that though the petitioner no.2 is having a clean antecedent but the petitioner no.1 is an accused in two other cases but he is on bail in the said cases. It is also submitted that as far as the petitioners are concerned, they are not alleged to have assaulted the informant, much less having fired gunshots upon him or upon anyone else,



hence they are not having any complicity in the alleged occurrence.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioners, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction



of learned Judicial Magistrate, 1st Class, Gaya in connection with Magadh Medical P.S. Case No.432 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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