

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17821 of 2023**

Arising Out of PS. Case No.-289 Year-2022 Thana- BARUN District- Aurangabad

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AJAY YADAV @ AJAY SINGH son of Mangal Yadav @ Mangal Singh
Village- Bahuti Ps- Barun Dist- Aurangabad Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Leelawati Kumari, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2023 Heard the parties.

The petitioner is apprehending his arrest in connection with Barun P.S. Case No 289 of 2022 for the offence under Sections 147, 148, 149, 341 and 307 of the I.P.C. lodged on 10.07.2022 by the informant Rajendra Singh.

The prosecution story, in brief, is that the named accused persons including the petitioner and 10 unknown persons were ploughing a piece of land of the informant Rajendra Singh in order to capture the same. It was alleged that Anjani Kumar Yadav opened fire at the instigation of Rajiv Yadav which hit the son of the informant Akhilesh Singh. Son of informant was rushed to Barun Hospital from where he was referred to Aurangaband and then he was referred to Jamuhar for better treatment. Accordingly, the F.I.R.



It has been contended by learned counsel for the petitioner that on the order of Rajesh Yadav, it is alleged that Anjani Kumar Yadav opened fire causing injury. So far as the other accused persons including this petitioner is concerned, omnibus allegation is there. Further, he do not have criminal antecedent.

Learned APP opposes the prayer.

Considering the aforesaid submission put forward by the learned counsel for the petitioner as also the specific allegation is against Anjani Kumar Yadav, he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar), in connection with Barun P.S. Case No 289 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Ravi/kiran/-

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