

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22199 of 2023**

Arising Out of PS. Case No.-250 Year-2022 Thana- GOPALGANJ TOWN District-
Gopalganj

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Dipu Yadav S/O Shambhu Yadav @ Shambhu Chaudhary Resident Of
Village- Hembardaha, P.S.- Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh
For the Opposite Party/s : Mr. Yogendra Kumar

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 03-07-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for the

informant.

The petitioner apprehends his arrest in Gopalganj
P.S. Case No. 250 of 2022 registered for the offences punishable
under Sections 341, 323, 307, 504, 506/34 of the Indian Penal
Code and Section 27 of the Arms Act, pending in the Court of
learned Chief Judicial Magistrate, Gopalganj.

As per the prosecution case, the petitioner along
with other accused person is said to have fired upon the
informant causing injury to him.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. He submits that the allegation of firing is against one Pinty Yadav through which it is stated that the informant got injuries. At best the petitioner happens to be the member of the group who assaulted the informant. The petitioner has got two criminal antecedents as mentioned in para-3 of the bail application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for anticipatory bail and submitted that the process of Section 82 and 83 of the Cr.P.C. has been completed.

Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

(Anjani Kumar Sharan, J)

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