

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22970 of 2023

Arising Out of PS. Case No.-196 Year-2021 Thana- MADHEPURA District- Madhepura

BISHUNDEO YADAV SON OF LATE DHANY YADAV RESIDENT OF
VILLAGE- GAMHARIYA, WARD NO. 07, PS- BHARRAHI, OP, DISTT-
MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that while he was making *Radda* to construct his house, when the accused persons including the petitioner came variously armed and the petitioner ordered to kill the informant, when Awadhesh Yadav shot him from his country made pistol which hit the informant and his



younger brother and they sustained head injuries, thereafter, the petitioner and the co-accused persons brutally assaulted the informant and his brother with *lathi* and *danda*.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that it absolutely does not stand to reason that on orders of petitioner, the co-accused would have fired. It is further submitted that even the injury suffered by the injured is simple in nature, but then it is a gun shot injury and the petitioner is not alleged to have fired.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 196 of 2021



subject to the conditions as laid down under Section 438 (2)
of the Cr.P.C.

(Satyavrat Verma, J)

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