

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30833 of 2023

Arising Out of PS. Case No.-329 Year-2022 Thana- MAHARAJGANJ District- Siwan

PRADEEP YADAV Son of Laxaman Yadav R/o Village - Lerua, P.S.-
Maharajganj, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-07-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 341, 323,
324, 379, 504, 506 and 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of five cases and the informant alleges
that while he along with his two friends was returning after
withdrawing Rs. 60,000/- from an ATM, they were intercepted
by the named accused persons, including the petitioner, further
petitioner along with Raju and Sunil fired indiscriminately while
Raju assaulted him by sword causing injury on head and
Santosh assaulted by rod on head, further Sunil snatched Rs.



59,000/- and Santosh snatched gold chain worth Rs. 51,000/-.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that from perusal of the allegations as alleged in the FIR it would manifest that though it is alleged that petitioner along with Raju and Sunil fired indiscriminately but then no one was hurt in the firing nor any empty cartridge was recovered from the place of occurrence which falsifies the allegations, it is further submitted that the allegation of assault is against Raju and Santosh and specific allegation of snatching is against Sunil and Santosh.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the allegation may be exaggerated but then the informant has alleged that he was coming back after withdrawing money from the ATM and his money was looted, further the petitioner is a named accused in the FIR and has antecedents also.

6. 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 Court below 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 court below where the case is pending/successor court in connection with Maharajganj P.S. Case No. 329 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that, in the event, if charge-sheet is submitted connecting the petitioner with the offence, then the present anticipatory bail order shall come to an end.

(Satyavrat Verma, J)

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