

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38204 of 2023

Arising Out of PS. Case No.-509 Year-2019 Thana- BARACHATTI District- Gaya

PRAKASH YADAV @ PRAKASH KUMAR son of Narayan Yadav Village-
Ghirsindi PS- Barachatti Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 28-07-2023 1. Heard the learned counsel for the petitioner and the learned A.P.P. for the State.
2. The petitioner apprehends his arrest in connection with Barachatti P.S. Case No. 509 of 2019, registered for the offences punishable under Sections 27 and 35 of the Arms Act.
3. The allegation is regarding the accused persons including the petitioner herein having made celebratory firing on the alleged date and time of occurrence.
4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned



counsel for the petitioner has further submitted that similarly situated co-accused person has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 10.08.2022 passed in Criminal Miscellaneous No. 9189 of 2022.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. 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 parity of the case of the petitioner with that of the co-accused person who has already been granted the privilege of anticipatory bail, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

7. Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/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/- (Ten
Thousand) with two sureties of the like amount
each to the satisfaction of learned Additional Chief
Judicial Magistrate, Sherghati, Gaya in connection
with Barachatti P.S. Case No. 509 of 2019,
subject to the conditions as stipulated under
Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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