

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36919 of 2023

Arising Out of PS. Case No.-186 Year-2017 Thana- DARAUNDA District- Siwan

Binod Yadav Son Of Late Rajendra Yadav Resident Of Village - Divi, P.S. -
M.H. Nagar, Distt. - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udit Narayan Singh, Advocate
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 08-11-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Daraunda in (M.H. Nagar)P.S. Case No. 186/
2017 dated 16.10.2017 registered for the offences punishable
under Sections 302 read with 34 of the Indian Penal Code and
Section 27 of the Arms Act.

4. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have stopped the informant
and his uncle. Thereafter, the co-accused Kalyan Yadav fired on



the informant and the co-accused Lali Yadav and Nanhe Yadav shot the informant's uncle Kameshwar Singh dead.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. There is general and omnibus allegation against the petitioner. Learned counsel has further submitted that the allegation against the petitioner is only of holding the informant. The specific allegation of firing is against the co-accused Lali Yadav and Nanhe Yadav. The other co-accused person has already been granted bail by the Co-ordinate Bench *vide* order dated 11.05.2023 passed in Cr. Misc. No. 12379 of 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Siwan in connection with Daraunda in (M.H. Nagar) P.S. Case No. 186/ 2017, subject to conditions as laid down under section



438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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