

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40859 of 2023**

Arising Out of PS. Case No.-142 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

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MUKESH KUMAR @ MUKESH YADAV S/O SAHDEO YADAV R/O  
VILLAGE- KAUSHIK DULARPUR (GANGHAR TOLA, ENGLISHPUR),  
PS. ARA MUFFASIL, DIST. BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| For the Petitioner/s     | : | Mr. Bhavesh Kumar, Advocate   |
| For the Opposite Party/s | : | Mr. Ashok Kumar Singh, A.P.P. |
| For the Informant        | : | Mr. Ravindra Kumar, Advocate  |

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      17-07-2023                      1. Heard learned counsel for the petitioner, learned A.P.P.  
for the State and learned counsel for the informant.
2. The petitioner apprehends his arrest in a case registered  
for the offences punishable under Section 307 of the Indian Penal  
Code and Sections 25(1-B)a, 26 and 27 of the Arms Act.
3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent.
4. The informant alleges that on the instigation of the  
mother of the petitioner, he fired at the informant and his son but they  
saved themselves.
5. Learned counsel for the petitioner submits that  
petitioner submits the petitioner has been falsely implicated in the  
present case. It is further submitted that informant and the petitioner  
are related having land dispute. It is next submitted that the allegation  
is of firing at the informant and his son but then no one was injured



which amply demonstrates that no occurrence as alleged took place rather the petitioner came to be implicated on account of animosity existing in between the petitioner and the informant being relative.

6. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for anticipatory bail of the petitioner but are not able to rebut the submission of the learned counsel for the petitioner that no one was injured in the firing.

7. 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 Ara Mufassil P.S. Case No. 142 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

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