

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.40134 of 2023

Arising Out of PS. Case No.-7 Year-2022 Thana- MATIHANI District- Begusarai

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ASHOK YADAV SON OF LATE YUGAL YADAV RESIDENT OF
VILLAGE- CHAKAUR KHORASMPUR, P.S. -MATIHANI, DISTT
-BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvottam Kumar
For the Opposite Party/s : Mr. Madhura Nand Jha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 02-08-2023 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Matihani Police Station Case No. 07 of 2022, dated
15.01.2022, disclosing offences under Sections
307/341/504/506/34 of the Indian Penal Code and Section 27 of
the Arms Act.

The prosecution case, on the basis of the First
Information Report, is that on 15.01.2022, at about 06:30 PM in
the evening, when the informant along with his son and brother
was returning towards his home, the petitioner and others
surrounded them and co-accused Ashok Paswan fired upon the



informant.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in the present case due to dispute over purchase of vegetables on credit from the informant. He further submits that allegation of firing is upon co-accused Ashok Paswan and not upon the petitioner. He next submits that co-accused Rishi Paswan has been granted anticipatory bail by a Co-ordinate Bench of this Court in Criminal Miscellaneous No. 69606 of 2022.

Regards being had to the submissions made on behalf of the parties and taking into consideration the fact that allegation of firing is not upon the petitioner, co-accused person has been granted bail by a Co-ordinate Bench of this Court and injury caused to the informant is simple in nature, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai, in connection with Matihani Police Station Case No. 07 of 2022,



subject to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

ashwani/-

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