

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No 41652 of 2023

Arising Out of PS. Case No.-183 Year-2019 Thana- JAHANABAD District- Jehanabad

SANJAY YADAV SON OF LATE AMBIKA YADAV @ LATE AMBIKA
SINGH VILLAGE MUSEPUR P.S.JEHANABAD ,KARAUNA DISTRICT
JEHANABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Paras Nath, Advocate
For the Opposite Party/s : Mr Shailendra Kumar, APP

CORAM: HONOURABLE MR JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-08-2023 Heard learned counsel for the petitioner and the
learned APP for the State.

2 The petitioner apprehends his arrest in connection
with Jehanabad (Karauna) PS Case No 183 of 2019 instituted
under Sections 147, 148, 341, 323, 324, 307, 379 and 504/34 of
the Indian Penal Code.

3 As per the prosecution case, the allegation against
the petitioner is that he made firing on the informant but the
same did not hit to anybody and he also assaulted the informant
with the butt of the pistol on his head and other parts of the
body.

4 Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case. There was free fight between both sides. During
investigation, the case was found to be false against the
petitioner and, therefore, the police submitted final form
showing the petitioner as not sent up for trial but the learned



Court below has taken cognizance against the petitioner. He has further submitted that the injury on the informant is simple in nature. Other similarly situated co-accused persons, namely, Ajay Yadav, Ranju Devi and Sunil Yadav have been allowed anticipatory bail by the coordinate Bench of this Court vide order dated 25.09.2019 passed in Cr Misc No 44084 of 2019. Petitioner has no criminal antecedent.

5 Learned APP opposes the prayer for anticipatory bail.

6 Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount to each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Karauna) PS Case No 183 of 2019, subject to the conditions as laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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