

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43265 of 2023

Arising Out of PS. Case No.-39 Year-2020 Thana- PHULPARAS District- Madhubani

Shambhu Yadav @ Shambhu Kumar Yadav Son of Kusum Lal Yadav,
Resident of Village- Bahuarva, PS- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Phulparas P.S. Case No. 39 of 2020 dated 27.01.2020, registered for the offences punishable under Sections 341, 323, 308, 504 and 34 of the Indian Penal Code pending in the learned Court below.

3. As per the prosecution story, the petitioner along with other co-accused persons stopped the grandson of the informant by pointing pistol and assaulted him. It is further alleged that the petitioner and one co-accused person toppled his motorcycle and again assaulted him due to which he sustained injuries.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in the present case and the

petitioner has 3 criminal antecedents as mentioned in para-3 of the bail application. The allegation against the petitioner is that he pointed a gun on the grandson of the informant and other co-accused persons assaulted the grandson of the informant.

5. Learned APP for the State opposes the prayer for bail.

6. Considering the aforesaid facts and circumstances and the fact that there is no specific overt act to assault the grandson of the informant by the petitioner, I am inclined to grant anticipatory bail to the petitioner. Accordingly, let the petitioner, named above, in the event of his arrest/surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty-Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor Court, in connection with **Phulparas P.S. Case No. 39 of 2020**, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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