

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51183 of 2022

Arising Out of PS. Case No.-335 Year-2021 Thana- GAURICHAK District- Patna

RAHUL KUMAR S/o Alakh Yadav R/o village- Kazibigha, P.S.- Gaurichak,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar,Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Gaurichak P.S. Case No. 335 of 2021 for the offence registered under Sections 147, 323, 448, 307, 504 of the Indian Penal Code and 25(1-b)a, 27 and 37 of the Arms Act.

As per the FIR, allegation amongst other this petitioner is that he opened fire which hit the wall. Subsequently, the country-made pistol was snatched from him whereafter he fled away. Accordingly, the FIR was lodged and the country-made pistol and the used cartridge were handed over to the Police.

Learned counsel for the petitioner submits that due to land dispute, he has been implicated in this case. Further, the handing over of the country-made pistol and cartridge are by



private person and in the aforesaid background, the case lodged against him can be put in the category of doubtful/suspicious. His last submission is that he do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that allegation is of firing against him.

Taking into account the aforesaid facts as also the fact that he is a young boy, do not have criminal antecedent, this Court is inclined to grant him relief.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M at Patna City Court in connection with Gaurichak P.S. Case No. 335 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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