

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53138 of 2022**

Arising Out of PS. Case No.-47 Year-2020 Thana- SARSI District- Purnia

Sikendar Yadav @ Babaji Yadav, S/o Late Mahender Yadav R/o village-  
Belaghat Baluto, P.S.- Sarsi, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      16-01-2023              Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, if any,  
within a period of three weeks from today.

Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in  
connection with Sarsi P.S. Case No. 47 of 2020 registered for  
the offences punishable under Sections 147, 149, 341, 342,  
427, 447, 504 and 506 of the Indian Penal Code and Section  
27 of the Arms Act.

As per the prosecution case, the informant was  
repairing of his old house. All of sudden, the petitioner and  
other co-accused persons armed with *lathi*, *danda*, *bhala* and



pistol came there and the petitioner fired on the son of the informant namely Mannu Kumar which hit in his left foot and due to which he fell down. Thereafter, co-accused persons armed with *lathi* and *danda* came and set the curtain on fire and also threatened to kill everyone.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. As per injury report of injured, injury is found on non vital part of the body, appears to be in simple in nature. The petitioner is accused in one more criminal case, in which he is on bail as stated in para 3 of the bail petition.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner and submitting that the specific allegation against the petitioner is of firing.

Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature on non vital part of the body, let the above named petitioner, in the event of his arrest/ surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Purnea in connection with Sarsi P.S. Case No. 47



of 2020, subject to the condition as laid down under Section  
438(2) of the Code of Criminal Procedure.

The application stands allowed.

**(Chandra Prakash Singh, J)**

Gautam/-

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