

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63234 of 2023

Arising Out of PS. Case No.-33 Year-2023 Thana- SAHJAHANPUR District- Patna

Arbind Yadav @ Arbind Kumar @ Aravi Kumar S/O Kesho Bihari Nirmal
Village- Singriwayan P.S.-Shahjahanpur Dist.- Patna, Bihar
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Anirudh Kumar Singh, Advocate
For the Opposite Party : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Shahjahanpur P.S. Case No. 33 of 2023 dated 08.03.2023.,
instituted for the offence punishable under Sections 341, 323,
307, 504 and 34 of the Indian Penal Code and 27 of the Arms
Act.

3. The case of prosecution, in short, is that the
petitioner along with other co-accused assaulted the informant's
son and nephew with an intention to kill them.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has falsely been implicated in this
case. It is submitted that the allegation levelled against the
petitioner is general and omnibus in nature and there is no



specific overt act against the petitioner. It is further submitted that three other similarly situated persons have been granted bail by a co-ordinate Bench of this Court *vide* a common order dated 08.08.2023 (*Kesho Bihari Nirmal and Bitawali Yadav @ Pintu Kumar in Cr. Misc. No. 39650 of 2023 and Bipin Bihari Nirmal @ Vipin Bihari Nirmal in Cr. Misc. No. 45531 of 2023*). Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Shahjahanpur P.S. Case No. 33 of 2023, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna City, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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