

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63452 of 2023**

Arising Out of PS. Case No.-690 Year-2023 Thana- KHAJANCHI HAT District- Purnia

GOPAL YADAV @ GOPAL KUMAR SON OF BALKISHORE YADAV @
BAL KISHOR KUMAR MOHALLA HOUSHING BOARD P S K HAT
DISTRICT PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Adv
Mr. Bhaskar Shankar, Adv
For the Opposite Party/s : Mr. Ajay Kumar No. 2, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 19-12-2023 Heard the parties.

2. The petitioner apprehends his arrest in connection with K.Hat(Sahayak) P.S. Case No.690 of 2023, registered for the offence punishable under Sections 307, 34 of the Indian Penal Code and 27 of Arms Act.

3. The allegation against the petitioner is that he opened fire on the informant and another person.

4. It is submitted by learned Senior Counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. Petitioner is not named in the FIR but he has been made accused in the present case during the course of investigation on the



basis of confessional statement of apprehended co-accused.

Petitioner has two criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as well as considering the nature of offence, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law.

(Anjani Kumar Sharan, J)

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