

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68887 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- EKANGARSARAI District- Nalanda

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SANJAY GOP @ SANJAY KUMAR Son of Akalu Gop R/o vill - Gareriya
Bigha, P.S.- Ekangar Sarai, Distt. - Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bishwa Bijay Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 01-11-2023 1. Heard learned Counsel for the petitioner and learned APP for the State.
2. This application, for grant of anticipatory bail, arises out of Ekangar Sarai PS case no. 45 of 2023, disclosing offences punishable under Section 307 and other allied sections of the Indian Penal Code.
3. The prosecution story, as per the First Information Report, is that on 05.03.2023, the petitioner along co-accused persons, armed with lethal weapons, arrived at the house of the informant and started abusing him and upon objection, co-accused persons namely Vijay Yadav and Pawan Yadav fired upon the informant, due to which informant sustained firearm injuries.
4. Learned Counsel for the petitioner submits that altogether 09 accused persons are there and there is no specific allegation against the petitioner that he fired upon the informant and



others. The petitioner is stated to be having clean antecedent. It is further submitted that case and counter case is existing between both the parties.

5. Regard being had to the submissions made on behalf of the parties and taking into consideration the fact that there is previous land dispute and case and counter case is existing between both the parties and there is no allegation against the petitioner that he had fired upon the informant, I am inclined to grant the privilege of anticipatory bail to the petitioner.

6. This application is, accordingly, allowed.

7. Let petitioner, abovenamed, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Hilsa, Nalanda in connection with Ekangar Sarai PS case no. 45 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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