

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70615 of 2023**

Arising Out of PS. Case No.-353 Year-2023 Thana- HILSA District- Nalanda

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Dilip Yadav@Dilip Kumar S/O Monu Yadav @ Balgovind Prasad Village-  
Chamar Bigha, Renri, Ps. Hilsa, Dist. Nalanda, A/P- R/O Village-  
Barkhandha, Ps. Hilsa, Dist. Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. M. K. Nirala, APP

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      09-11-2023                      Heard Mr. Umesh Kumar Singh, learned counsel  
  
appearing on behalf of the petitioner and Mr. M. K. Nirala,  
  
learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection  
with Hilsa P.S. Case No. 353 of 2023, registered for the offences  
punishable under Sections 341, 323, 324, 307, 504, 337/34 of  
the Indian Penal Code and 27 of the Arms Act.

3. Allegedly, while the informant was fleeing away  
from the place of occurrence, co-accused Bablu Gope, Ishwar  
Chauhan, Chhotey Chauhan and Dilip Yadav (petitioner)  
opened fired with pistol. It is specifically alleged that on the  
firing made by co-accused Bablu Gope, the informant sustained  
firearm injury on his left palm due to which he sustained firearm



injury.

4. It is submitted on behalf of the petitioner that, in fact, the informant and his brother Tution Gope are men of criminal antecedent having eight cases over their head of serious nature. He further submits that even as per the narrations made in the FIR, it is evident that when the police came there to pacify the person of both the sides but the informant noticing the police party tried to flee away which fortifies his criminal antecedent. Further submission has been made that even as per the FIR, the specific allegation has been levelled against co-accused Bablu Gope, moreover, the petitioner is a man of fair antecedent and only account of village politics his name has been implicated in this case, though he is a resident of a distant village.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the petitioner has also made open firing.

6. Regard being had to the submissions made on behalf of the parties and considering the allegation, which is specifically levelled against co-accused Bablu Gope, coupled with the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or



surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 353 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

**(Harish Kumar, J)**

Anjani/-

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