

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74164 of 2023

Arising Out of PS. Case No.-339 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

=====

ABHISHEK YADAV @ ABHISHEK KUMAR Son of Jairam Yadav @ Ajay
Yadav Resident of Village - Nilkhoti Ghat Barari, P.S.- Barari, District -
Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ankit Raj, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

=====

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

ORAL ORDER

2 05-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in
connection with Kotwali (Barari) P.S. Case No. 339 of 2022 dated
01.05.2022 registered for the offences punishable u/ss 341, 307
read with section 34 of the Indian Penal Code and u/s 27 of the
Arms Act.

3. As per the prosecution case, the co-accused persons
are alleged to have caught hold of the informant and one of the
accused persons fired on the chest of the informant causing injury.

4. Learned counsel for the petitioner has submitted that
the petitioner has falsely been implicated in this case. The
petitioner is not named in the F.I.R. The informant took the name



of the co-accused persons who fired on the informant but the name of the petitioner has been transpired in the re-statement of the informant. The specific allegation of firing is against the co-accused, Rahimana Yadav. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Bhagalpur in connection with Kotwali (Barari) P.S. Case No. 339 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

U		T	
---	--	---	--

