

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72493 of 2022

Arising Out of PS. Case No.-89 Year-2022 Thana- SANJHOLI District- Rohtas

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JITENDRA YADAV @ JITENDRA SINGH Son of Late Shivrath Yadav @
Late Shivrath Singh Resident of Vill.- Tendua, P.O.- Siaruan, P.S.- Sanjhauli,
Dist.- Rohtas, Bihar - 802220.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharad Shekhar, Advocate

For the Opposite Party/s : Mss.Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

Let the defect(s), if any, as pointed out by the office,

be removed within four weeks.

The petitioner is apprehending arrest in connection

with Sanjhauli P.S. Case No. 89 of 2022 under sections 147,

148, 149, 341, 323, 324, 325, 307, 427 of the Indian Penal Code

and 27 of the Arms Act.

As per the prosecution story, the accused persons

variously armed assaulted the number of persons of the

informant's side.

So far as this petitioner is concerned, the allegation

is that he opened fire and the informant narrowly escaped from



it.

Accordingly, the FIR.

Learned counsel for the petitioner submits that a bare perusal of the FIR would show that so far as this petitioner is concerned only allegation is of opening fire which did not hit the informant.

Learned APP opposes the prayer for anticipatory bail.

Considering the allegation that has come against the petitioner as also the fact that FIR was lodged and he has to face the trial, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned, Chief Judicial Magistrate, Bikramgang (Rohtas) at Sasaram, in connection with Sanjhauli P.S. Case No. 89 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the conditions as follows:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show



his/her bona fide;

(ii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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