

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75859 of 2023**

Arising Out of PS. Case No.-157 Year-2023 Thana- BIHARIGANJ District- Madhepura

ASHISH KUMAR @ ASHISH KUMAR YADAV Son of Kailu Yadav @
Kailash Yadav R/o vill - Madhukar Chauk @ Madhukarchak, P.S. -
Bihariganj, Distt.- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 14-12-2023 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 Bihariganj P.S. Case No. 157 of 2023 dated 27.06.2023 registered for the offences punishable u/s 307 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the other co-accused are alleged to have fired from their illegal firearms on the informant's vehicle while the informant along with three others was travelling for Purnea but the bullet hit one buffalo and one buffalo's kid on the spot.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. There



is general and omnibus allegation against the petitioner. Nothing has been recovered from the possession of the petitioner and 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 as well as the nature of allegation against the petitioner, 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, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 157 of 2023, 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)

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