

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72554 of 2022

Arising Out of PS. Case No.-280 Year-2018 Thana- BIHPUR District- Bhagalpur

ASHISH RAJ @ ADITYA RAJ Son of Late Lago Yadav @ Lagan Yadav @
Nago Yadav Resident of Village - Gannol, P.S.- Bihpur (Bhawanipur), District
- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered
for the offence punishable under Section 302 and some other
ancillary Sections of the Indian Penal Code and u/s 27 of Arms
Act.

As per the prosecution case, all the FIR named
accused persons, including this petitioner, armed with Lathi
sword and pistol came at the place of occurrence and dragged
the father of informant from the roof of hut and on the order of
Kampany Yadav co-accused, Sintu Yadav opened fire which hit
on the back of father of informant. It is further alleged that co-
accused, Shankar Yadav opened fire which hit on the thigh of
the father of informant. Father of the informant succumbed to
the injuries.



Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. It is further submitted that specific allegation of firing is against other accused persons and so far this petitioner is concerned no specific overt act has been attributed against him. The police after investigation submitted final form but the court below after differing with the same took cognizance. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Naugachia in connection with Bihpur (Bhawanipur) PS case No. 280/ 2018, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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