

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73854 of 2022

Arising Out of PS. Case No.-466 Year-2020 Thana- PARBATTI District- Khagaria

KAILASHPATI YADAV Son of Late Shivnandan Yadav R/V- Salarpur, P.S-
Parbatta, Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mrs.Nirmala Kumari

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 307, 385 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 pistol abused and assaulted the uncle of informant and also demanded Rs. One lac as extortion money. It is further alleged that when the informant's uncle reached at home, all the accused persons arrived there and co-accused, Rohit Yadav fired which hit on the right leg of the informant thereafter all the accused persons fled away.

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 accusation of firing is against other accused person and so far this petitioner is concerned no specific overt act has been attributed against him. No ransom money was delivered in the case. 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 Chief Judicial Magistrate, Khagaria in connection with Parbatta PS case No. 466/ 2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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