

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81607 of 2023

Arising Out of PS. Case No.-209 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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CHHOTU YADAV @ ATUL KUMAR S/O RAM BHAJAN YADAV
RESIDING AT O.T.A CANTT, PAHARPUR, P.S- MAGADH MEDICAL,
DISTT.- GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 21-12-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 324, 326, 307, 384, 504, 341, 323,
120(B), 34 of the IPC and 27 of the Arms Act.

3. Allegedly, three accused persons riding on a motorcycle,
fired from the pistol, which hit the informant on his thigh and it
is alleged that earlier petitioner and other accused persons had
demanded Rs.5 Lakhs as extortion from the informant, which
was not fulfilled.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. It is



submitted that there is an admitted land dispute between the parties and there is no specific allegation against the petitioner to have fired upon the informant. It is further submitted that the parties have compromised the case and since, no money was given to the petitioner, therefore, no offence u/s 384 of the IPC is made out against the petitioner. Petitioner has no criminal antecedent.

5. Learned APP for the State has not denied the fact that the parties have compromised the matter.

6. Having regard to the facts and circumstances of the case, since the matter has been compromised, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Magadh College P.S. Case No.209 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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