

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16687 of 2024

Arising Out of PS. Case No.-466 Year-2022 Thana- JOGAPATTI District- West Champaran

Binay Bihari W/o- Late Parmanand Singh Village- Machhargawa Ps-
Yogapatti Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mohit Raj, Advocate

For the State : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-03-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 336 of the Indian Penal Code and Sections 25(9), 27, 29(b) and 30 of the Arms Act.

3. As per prosecution case, this petitioner, riding on an elephant, arrived in '*Kansh Vadh Mela*' and made indiscriminate firing in air.

4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has falsely been implicated in this case due to political rivalry. It is next submitted that this petitioner is a sitting M.L.A. and though there is allegation of indiscriminate firing in air, no one has sustained any injuries.



5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Considering the rival submissions, the fact that no one has sustained any fire arm injuries and there is no chance of absconding of this petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner 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 learned Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Yogapatti P.S. Case No.466 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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