

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13458 of 2024

Arising Out of PS. Case No.-244 Year-2023 Thana- HALSI District- Lakhisarai

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NARESH YADAV @ NARESH KUMAR S/O- DWARIKA YADAV R/O-
VILLAGE- DHIRA, P.S.- HALSI, DIST.- LAKHISARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Narsingh Tanti, Advocate

For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-03-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 341, 323, 307/34 of the IPC and Section 27 of the
Arms Act.

3. The learned counsel for the petitioner submits that
petitioner has antecedent of two cases and has been falsely
implicated in the instant case by the informant with an
allegation that while the informant was coming to Halsi by bike
when on a bike three persons were coming with their faces and
uncovered and the accused sitting in the middle fired, but
missed.

4. The learned counsel for the petitioner submits that
the FIR was against unknown. It is also submitted that the name



of the petitioner transpired during the course of investigation based on CCTV. footage. It is further submitted that CCTV. footage is not such an evidence based on which it can be construed that it was the petitioner who was involved in the occurrence, as the CCTV. footage is not with respect to firing. It is also submitted that the petitioner and the informant belong to the same village and as such if the petitioner would have participated in the occurrence then definitely the informant would have disclosed the said fact to the police. The learned counsel next submits that petitioner will not abscond rather will cooperate in the investigation and will present himself as and when required by the investigating officer of the case.

5. The learned APP opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Lakhisarai in connection with Halsi P.S. Case No.244 of



2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with further condition that one of the bailor shall be the father of the petitioner, namely, Dwarika Yadav.

7. It is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that petitioner despite giving assurance to this Court is not cooperating in the investigation or is not presenting himself as and when required, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner forthwith and to take all coercive steps to ensure that petitioner is behind bar.

8. It is further made clear that if the police after investigation submits charge sheet connecting the petitioner with the offence, in that event, the present anticipatory bail order shall loose its effect.

9. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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