

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18398 of 2024

Arising Out of PS. Case No.-243 Year-2019 Thana- ALOULI District- Khagaria

Arjun Yadav son of Shrawan Yadav Village- Barkhandi tola Ps- Mufsil Dist-
Khagaria Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandan Kashyap, Adv.

For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 26-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner has prayed for anticipatory bail in a case registered for the offence punishable under sections 307/34 of the Indian Penal Code and Section 27 of Arms Act.

3. According to the FIR, while the informant was going to collect amount, meanwhile the petitioner along with other co-accused persons surrounded him. Thereafter, on order of co-accused Shrawan Yadav, co-accused Arvind Yadav fired upon the informant due to which he sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case at the instance of other accused persons. Specific allegation of giving order is against Shrawan Yadav and firing is against Arvind Yadav. The alleged occurrence took place on 1.7.2019 but the FIR has been lodged in delay of 20 days on 21.7.2019. From perusal of FIR, it appears that the petitioner has also



opened fire but the same did not hit to him. Accused Shrawan Yadav, who is order giver, has already been enlarged on regular bail by this Court vide order dated 4.7.2023 passed in Cr. Misc. No. 36365 of 2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Alauli P.S. Case No. 243 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned learned Chief Judicial Magistrate, Khagaria subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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