

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 22206 of 2024**

Arising Out of PS. Case No.-147 Year-2023 Thana- ALOULI District- Khagaria

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BABLOO YADAV SON OF RAMOTAR YADAV RESIDENT OF VILLAGE
- ALAULI, P.S. - ALAULI, DISTRICT - KHAGARIA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr Zainul Abedin, APP

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CORAM: HONOURABLE MR JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 18-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2 The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 307, 302, 379 120B, 342 of the Indian Penal Code and Section 27 of the Arms Act.

3 Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the instant case by the informant on the general and omnibus allegations. It is next submitted that from perusal of the allegation, as alleged in the FIR, it would manifest that the informant alleges that 15 named accused persons, including the petitioner along with 5 unknown accused, surrounded him and, thereafter, on orders of



Chakradhar Yadav and Brahmdeo Yadav, the petitioner along with other named accused persons started firing but the informant managed to save himself and on alarm, the villagers gathered and one unknown accused and two named accused persons were apprehended who were later handed over to the police. Further, the unknown accused disclosed his name as Rohit Kumar from whom country made pistol and cartridge were recovered. It is next alleged that the reason for the occurrence is that the informant had earlier instituted a case with regard to murder of his brothers and the accused persons of the case were threatening the informant to withdraw the case and the present accused persons along with the petitioner had come for threatening the informant for withdrawing the said murder case. The learned counsel for the petitioner further submits that the petitioner has been falsely implicated in this case with allegation of firing which is general and omnibus. It is also submitted that no one was injured in the firing and the pistol was recovered from co-accused Rohit Kumar.

4 The learned APP has opposed the anticipatory bail and submits that there is allegation of firing against the petitioner also though no one was injured but then accused persons were apprehended including co-accused Rohit Kumar



along with pistol and cartridge who was subsequently handed over to the police and the reason for the occurrence is that the accused persons had come to threaten the informant for withdrawing the case relating to murder of his brothers. It is further submitted that in the anticipatory bail application, there is nothing on record to suggest that as to what the petitioner does which amply suggests that he is indulging in such type of offence and he has also antecedent of one case registered under Section 307 of the IPC read with the Arms Act. It is next submitted that the investigation of the case is still going on.

5 Considering the submission made by the learned APP for the State, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the present anticipatory bail application is rejected.

(Satyavrat Verma, J)

M.E.H./-

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