

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37073 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- SAHPUR District- Bhojpur

Sanjay Yadav S/o Late Shiv Narayan Yadav R/V - Suremanpur, P.S. Shahpur,
Dist. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Malti Kumari

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 323, 341, 307, 504 and 506 of the Indian Penal Code and
Section 27 of the Arms Act.

3. Learned counsel for the petitioner, at the outset,
submits that petitioner has antecedent of seven cases out of
which five cases have been instituted under the Excise Act. It is
also submitted that once a person is implicated in a case relating
to excise then in mechanical manner, the police implicates. It is
further submitted that from perusal of allegation as alleged in
the FIR, it would manifest that on account of dispute relating to
land, it is alleged that the accused persons including petitioner



came on the land of the informant and asked him not to plough and thereafter it is alleged that Manjay and the petitioner fired on the informant but then missed. It is next submitted that though there is an allegation of firing but then no one was injured and no cartridges were recovered from the place of occurrence. It is also submitted that petitioner will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Shahpur P.S. Case No. 61 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. However, 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 the petitioner,



despite giving assurance to this court, is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

7. Let a copy of this order be sent to the concerned police station through learned trial court.

(Satyavrat Verma, J)

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