

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35249 of 2023

Arising Out of PS. Case No.-265 Year-2022 Thana- ATHMALGOLA District- Patna

Yaslok Prasad @ Shlok Prasad @ Shlok Prasad Yadav S/O Late Ram Balak
Yadav @ Ram Balak Rai R/O Village- Meura, P.O- Fulelpur, P.S- Athmalgola,
Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sidhendra Narayan Singh, Adv.

For the Opposite Party/s : Mr.Navin Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

7 06-03-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Athmalgola P.S. Case No. 265 of 2022 dated .. registered for the offences punishable u/ss 341, 323, 307, 447 read with section 34 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons came near the house of the informant with lathi, danda and country made pistol. The co-accused, Surya Bhushan Kumar asked the informant's husband to remove the bricks from the land on which the informant's husband refused and stated that the land belonged to him. Thereafter, the co-



accused, Minta Devi ordered to kill upon which the petitioner fired on the informant's husband.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the informant's husband is full brother of the petitioner and no such occurrence as alleged has ever occurred. As per the injury report of the injured, the injury is simple in nature as per the report of Nectar Hospital, Patna. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has two criminal antecedents as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner and submitted that the petitioner fired which hit his hydrocele.

6. Considering the aforesaid facts and circumstances of the case as well as the injury being simple in nature, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of



the learned court concerned, Barh, Patna in connection with Athmalgola P.S. Case No. 265 of 2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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