

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58283 of 2024**

Arising Out of PS. Case No.-139 Year-2017 Thana- KUSHESHWARASTHAN District-  
Darbhanga

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Vikash Yadav @ Vikash Vrdhan S/o Rajendra Yadav @ Rajendra Prasad  
Yadav R/o vill - Patkhora (Parmanandpur) P.s. - Kusheshwar Sthan @ K.  
Sthan (Tilkeshwar O.P), Distt. - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nagendra Kumar Singh

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

2      08-08-2024                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Kusheshwar Sthan P.S. Case no. 139 of 2017 instituted for the offence under Sections 147, 148, 149, 324, 307, 302, 506 of the Indian Penal Code and section 27 of the Arms Act.

3. It is a case of assaulting to the informant's son Gauri Yadav by the petitioner along with co-accused persons. Co-accused Vimal Yadav shot fire upon the informant's son due to which he succumbed to injury. Allegation against the petitioner is to hand over the pistol to other co-accused.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. The petitioner is said to have given pistol to other co-accused. No allegation of firing has been made against the petitioner. General and omnibus allegation leveled against him. It is further submitted vide para-11 of the petition that police have submitted charge-sheet but not found the case true against the petitioner and he has not sent up for trial. The petitioner has got no criminal antecedent. Similarly situated co-accused Laxmi Yadav has already been enlarged on bail by co-ordinate Bench of this Court vide order dated 15.1.2024 passed in Cr. Misc. No. 84845 of 2023.

5. Learned APP appearing for the state has opposed the prayer of 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 Kusheshwar Sthan P.S. Case no. 139 of 2017, 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 Sub Divisional  
Judicial Magistrate, Biraul, Darbhanga subject to the conditions  
as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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