

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61677 of 2024

Arising Out of PS. Case No.-522 Year-2023 Thana- RAJAON District- Banka

Mithun Yadav S/o Gopal Yadav Resident of Village- Bari Mirjapur, Ps- Kasim
Bazar, Distt. - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 27-09-2024 Heard Mr. Praveen Kumar, learned counsel for the
petitioner and Mrs. Renu Kumari, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Rajoun P.S. Case No. 522 of 2023 instituted for the
offences under Sections 341, 323, 307, 332, 337, 353, 147,
148, 149 of the Indian Penal Code and 27 of the Arms Act.

3. As per prosecution case, the accusation against the
petitioner is that he along with other co-accused persons fired
gunshots on the police personnel and they also caused hurt to
the government driver namely Pramod Kumar Yadav by the butt
of the pistol.

4. Learned counsel for the petitioner submitted that the



petitioner is innocent and has committed no offence as alleged in the FIR and has falsely been implicated in the present case due to dirty village politics. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Learned counsel further submitted that there is no allegation of firing against the petitioner. The injury sustained by the driver is simple in nature. The co-accused person has already been granted regular bail by this Bench vide order dated 14.08.2024 passed in Cr. Misc. No. 55604 of 2024. It has been submitted on behalf of the petitioner that the petitioner has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest/surrender before the learned Court below within a period of six months from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajoun P.S. Case No. 522 of 2023, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

(Rudra Prakash Mishra, J)

Alok Verma/-

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