

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60970 of 2023

Arising Out of PS. Case No.-207 Year-2023 Thana- NARPATGANJ District- Araria

Shobhanand Yadav Son Of Late Sheo Nandan Yadav Resident Of Village -
Matnaja Gram Panchayat, P.S. - Narpatganj, District - Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Bhushan Das

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 19-01-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

3. Petitioner is said to have fired upon the nephew of the informant who fell down on the ground.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. He submits that in the entire case diary, there is nothing on record to show that the injured Sunil Kr. Mukhiya was treated either in Darbhanga or in Patna. He submits that similarly situated co-accused has already been granted bail by a coordinate Bench of this Court vide order dated 07.11.2023



passed in Cr. Misc. No. 68425 of 2023. He further submits that petitioner has two criminal antecedent as stated in para-3 of the bail application.

5. Learned APP for the State opposes the prayer for bail submits that though the similarly situated co-accused Bijen Yadav has been granted bail by a coordinate Bench of this Court but injury report has not supported the prosecution case against co-accused.

6. Considering the nature of offence, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Narpatganj P.S. Case No. 207 of 2023.

7. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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