

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68488 of 2024

Arising Out of PS. Case No.-103 Year-2024 Thana- BHAGWANPUR District- Begusarai

Chandan Yadav S/O Lalo Yadav @ Lal Babu Yadav R/O Village- Chakkapar,
P.S- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar Thakur, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Bhagwanpur P.S. Case No. 103 of 2024 dated 19.04.2024
instituted for the offence punishable under Section 341, 323,
307, 385, 379, 427, 504 & 506/34 the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date of occurrence, when the informant was returning after
attending a feast in village, petitioner pointed a pistol at the
informant and threatened him to kill. Thereafter, petitioner fired
on the informant by pistol, but he escaped narrowly. It is alleged
that the other accused along with petitioner assaulted the
informant, damaged his motorcycle and demanded extortion of
Rs. 50,000/-.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that both the parties are agnates. There is a case and counter case between the parties. The counter case bearing *Bhagwanpur P. S. Case No. 104 of 2024* has been lodged by the petitioner under Section 307 and other allied Sections of the Indian Penal Code against the informant and others. There is no allegation of extortion of money against the petitioner, and as such, Section 385 of the Indian Penal Code is not made out against the petitioner. Further, the injuries sustained by the prosecution side are simple in nature. Also, other co-accused persons have been granted anticipatory bail by this Court *vide* order dated 07-08-2024 passed in Cr. Misc. No. 45496 of 2024 (Annexure -P/4). Lastly, it has been submitted that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon, furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned



JM-1st Class, Begusarai in Bhagwanpur PS Case No.103 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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