

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73154 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- SISWAN District- Siwan

Sonu Yadav Son of Shankar Yadav Resident of Village- Gangpur Siswan, PS-
Siswan, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Tiwary

For the Opposite Party/s : Mr. Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 24-10-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 447, 341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is said to have attacked on one Rajesh Yadav by rod with intention to kill him, the rod hit his neck causing a perforation in the wind pipe (Trachea)/Respiratory Tube.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the occurrence took place on 18.11.2023 and the injury report of Rajesh Yadav and others has been prepared antedated on



17.11.2023 (Annexure-P/3 Series to this application). He further submits that injury sustained by Rajesh Yadav is simple in nature. There is inordinate and abnormal delay of five days in lodging the present F.I.R. without assigning any plausible and convincing reason for the said delay, which creates serious doubt about the prosecution case. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the nature of the injury, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Siswan P.S. Case No. 303 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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