

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84034 of 2023

Arising Out of PS. Case No.-116 Year-2020 Thana- MANSI District- Khagaria

Pandav @ Panduki Yadav Son of Jaijai Ram Yadav Resident of Village-
Morkahi Baba Tola, PS- Muffasil, Dist- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-01-2024 Heard Mr. Ranjeet Kumar Singh, learned counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Mansi P.S. Case No. 116 of 2020 registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Allegedly, while the informant was going to his in-laws house on his motorcycle, in the meantime, all the FIR named accused persons chased him and further, co-accused Bilash Yadav made fire upon him due to which he sustained injury in his thigh. Further allegation has been levelled against co-accused Bhutti Yadav that he also made fire upon the informant but he unscathed from the said firing.

4. It is submitted on behalf of the petitioner that



allegedly the occurrence took place on 13.04.2020 but the FIR has been instituted on 17.04.2020 after a delay of four days, without any plausible explanation. It is further submitted that even as per the narratives made in the FIR, there is no allegation of firing, much less, any overt act against the petitioner. That apart, co-accused Bhutti Yadav against whom there is allegation of firing though which did not hit the petitioner, has been allowed the privilege of anticipatory bail vide order dated 10.01.2024 passed in Cr. Misc. No. 81664 of 2023 by this Court. It is next submitted that the petitioner is a man of fair antecedent and he undertakes that he will fully cooperate in the investigation or in the proceeding of the court.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the FIR has been instituted in the year 2020 and the petitioner has approached this Court after a long delay.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that no allegation has been attributed against the petitioner of firing or causing any overt act, coupled with the fact that the co-accused person having serious allegation has been allowed the privilege of anticipatory bail and the petitioner bears fair antecedent, 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 four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 116 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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