

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5191 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- NARPATGANJ District- Araria

Sikandar Yadav son of Kinnu Yadav Village- Simrahi W.No-12, Ps-
Narpatganj Dist- Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
		Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

7 13-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Narpatganj P.S. Case No. 206/2023 dated 25.04.2023 registered for the offence punishable u/s 147, 148, 149, 341, 323, 307 of the Indian Penal Code and u/s 25 (1-B)a, 26, 35 and 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons were fixing the pole in the informant's land. When the informant's husband objected, all the accused persons started abusing him. The accused Durganad fired on the informant's husband with rifle causing bullet injuries on his thigh and head. When Amit Kumar came to rescue, Amrendra



Yadav fired on him causing bullet injury on his thigh and Ranjit Mishra fired indiscriminately due to that Bal Krishna Kumar also sustained bullet injury on his head. Jay Narayan Yadav and the petitioner Sikander Yadav also fired indiscriminately due to that a labour sustained bullet injury on his leg. Thereafter, all the accused also assaulted the informant, his husband, her grandson and her son and fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The other co-accused persons have already been granted bail by this court *vide* order dated 27.02.2024 passed in Cr. Misc. No. 7685/2024. Learned counsel has submitted that compromise has been done between the parties and a joint compromise petitioner has also been filed on 25.09.2023. As per para 43, the injured Samunder Sharma (labour) has not stated the name of the petitioner and the co-accused, Jay Narayan Yadav who fired on him which hit his leg.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the injury is grievous in nature which is on non-vital part of the body.



6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of eight weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Araria in connection with Narpatganj P.S. Case No. 206/2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure, with further condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

