

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14334 of 2025

Arising Out of PS. Case No.-469 Year-2024 Thana- NARPATGANJ District- Araria

Pawan Yadav Son of Sakaldeep Yadav Resident of Kanhaili Ward No. 06,
P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr. Nityanand, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 13-05-2025 1. 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 191(2),
191(3), 190, 115(2), 118(1), 118(2), 109, 352 and 351(3) of the
BNS as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases but then it has been
specifically pleaded at para 3 of the anticipatory bail application
that both the cases were instituted against the petitioner from the
side of the informant. It is further submitted that the informant
alleges that on 08.09.2024 at about 05:05 p.m. while he was
constructing the house of his uncle when all the accused persons
named in the FIR including the petitioner along with 5-10
unknown accused came and forcibly tried to stop the



construction work and even used abusive language. It is next alleged that all the accused persons started assaulting the informant with lathi and danda but the matter was pacified thereafter petitioner came and started ploughing the field through tractor. On objection, it is alleged that petitioner fired leading to injury to three persons, namely, Babul Kumar, Palvendra Yadav and Jitan Yadav.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that on account of dispute relating to land, the occurrence is alleged to have taken place. It is next submitted that no doubt the petitioner is alleged to have fired causing firearm injury to three persons whose name has been recorded hereinabove but then it is submitted that during the course of investigation, no material transpired which could even remotely suggest that anyone was injured in the firing. It is thus submitted that the allegation of firing has been made only with a view to give seriousness to the case.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds 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 Narpatganj P.S. Case No. 469 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

7. However, the learned trial court shall verify the injury report of Babul Kumar, Palvendra Yadav and Jitan Yadav and if it is found that any of the three was injured by firearm injury in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that there is no injury caused by firearm to any of the aforesaid three persons in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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