

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20791 of 2025

Arising Out of PS. Case No.-208 Year-2024 Thana- KOILWAR District- Bhojpur

Chotu Yadav @ Chotu Kumar Son of Ravi Shankar Yadav @ Ravi Shankar
Roy Resident of village - Mahakampur Bara, P.S.- Ara Muffasil, District -
Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bibhakar Tiwary

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-04-2025 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Koilwar P.S. Case No. 208 of 2024 dated 30.04.2024
registered under Sections 147, 148, 149, 341, 323, 307, 385,
386, 504 of the I.P.C. and section 27 of the Arms Act.

3. As per the first information report on 30.04.2024 an F.I.R.
has been lodged by the informant- Deepak Kumar stating
therein that for the construction of temple the driver of the
informant was carrying sand on the tractor and he was
intercepted by the accused, total nine in number, who
demanded Rs. 500/- as rangdari but the tractor driver agreed to
pay Rs. 200/- and told that the sand was being carried for the
purpose of temple construction. On this issue the co-accused



Guddu Roy assaulted the tractor driver by pistol's butt causing injury to the driver. The accused persons forcibly asked the driver to unload the sand at place of occurrence. The tractor driver reached at the house of the informant and explained the incident and when the informant asked about the incident from Guddu Puttu he started abusing the informant and threatened of dire consequences. The informant came back to his home and on 29.04.2024 at about 11 P.M. in the night all the accused persons arrived at the house of the informant and started firing. They caught hold the tractor driver of the informant and the co-accused Guddu Roy and Siya Ram Bind fired upon the tractor driver due to which she sustained bullet injury on his jaws. All the accused persons fled away while firing in the air.

4. Learned counsel for the petitioner submits that petitioner is having no criminal antecedent and he has falsely been implicated in this case due to dispute regarding extraction of sand from the bank of river. No specific allegation has been made against the petitioner whereas specific allegation of firing has been made against the co-accused. The injury caused to the informant's driver is not attributable to the petitioner. The petitioner is having no concern with the occurrence.

5. Regard being had to the submission made by the parties,



taking into consideration the generality of the allegation and the fact that specific allegation of firing is upon the co-accused and the petitioner is having no criminal antecedent accordingly I am inclined to grant anticipatory bail to the petitioner.

6. Let the petitioner, above named, be released on anticipatory bail in the event of arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S. Case No. 208 of 2024 subject to the condition as laid down under Section 482 (2) of the B.N.S.S. 2023.

(Anil Kumar Sinha, J)

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