

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30574 of 2025

Arising Out of PS. Case No.-140 Year-2020 Thana- KAKO District- Jehanabad

Chandeshwar Prasad @ Chandeshwar Yadav, S/O Late Kuldeep Yadav R/O
Village- Pahalbigaha, P.S- Kako, Distt.- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 19-08-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 324, 326, 307 and 34 of the Indian Penal Code and
Section 27 of the Arms Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the informant
alleges that petitioner fired causing firearm injury to Chhotu on
his head.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is next submitted that petitioner and the informant
are having dispute relating to land. It is also submitted that the



occurrence is alleged to have taken place in married ceremony of informant's granddaughter. It is next submitted that since petitioner and the informant are on an inimical term, as such, there was no occasion for the petitioner to go to the house of the informant for attending the marriage. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent and thus, submitted final form exonerating the petitioner of the allegation, but then, the learned trial Court differing with the police report took cognizance, as such, petitioner apprehends arrest. It is next submitted that when one investigating agency based on a threadbare investigation came to a considered conclusion that petitioner is innocent whether it would be prudent for the Court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence and will not delay the framing of charge.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the



event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jehanabad in connection with Kako P. S. Case No.140 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailor of the petitioner shall be his cousin nephew Nitish Kumar.

7. The application stands allowed.

8. It is made clear that in the event, if the learned trial Court comes to a conclusion that the petitioner after his release is trying to delay the framing of charge or after framing of charge is delaying the trial in both the conditions, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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