

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.30059 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- ARA NAWADA District- Bhojpur

Dhannu Yadav @ Ankush yadav S/o Mahangu Yadav Resident of Chandwa,
PS- Nawada, Bhojpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Akanksha Malviya

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 2 15-05-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Ara Nawada Police Station Case No. 143 of 2025, dated 27.02.2025, disclosing offences punishable under Sections 109/292/351(2)/235/3(5) of the Bhartiya Nyaya Sanhita, 2023.
3. The prosecution case, as per the First Information Report, is that on 27.02.2025, at 6:30 PM, the informant-Police Officer was informed that at 6 PM co-accused Dasrath Yadav, along with his brothers, has opened fire near the house of one Rajendra Yadav to establish their supremacy in the locality. The rival group also arrived there at 06:15



PM and opened fire and left the place of occurrence. The petitioner is one of the members of the rival group and he is named in the First Information Report along with other named and unknown accused persons. Dasrath Yadav and his brothers had earlier assaulted one person of the locality on 22.02.2025, for which Ara Nawada Police Station Case No. 139 of 2025 was instituted against them. Both the parties have opened fire in order to have their supremacy. One empty cartridge, one pellet and two live cartridges were recovered from the place of occurrence. The Police verified from the CCTV installed in the house of Dasrath Yadav, in which Dasrath Yadav, along with his brothers, was seen going towards the house of Rajendra Yadav and within a minute, sound of firing was heard in the CCTV and soon thereafter it was seen that Dasrath Yadav came back to his house along with his brothers and Dasrath Yadav took out a pistol from his waist and handed it to his brother, Ashok Yadav, who kept it in his waist.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case.



The petitioner is 17-18 years old student who has passed his 10+2 examination in the second division and is intending to take admission in the Bachelor course, as stated in paragraph 14 of this application. She further submits that from perusal of the First Information Report, it is evident that in the CCTV footage verified by the police, the petitioner was not seen. She further submits that the petitioner is not having any criminal antecedent.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner was not seen in the CCTV footage, which was examined by the police, he is 18 years old student and is not having any criminal antecedent, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 17th Additional Sessions Judge, Bhojpur, at Ara, in connection with Ara Nawada Police Station Case No. 143 of 2025,



subject to the condition laid down under Section 482 (2)
of the Bharatiya Nagarik Suraksha Sanhita, 2023.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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