

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66781 of 2025

Arising Out of PS. Case No.-234 Year-2024 Thana- GWALPARA District- Madhepura

Resham Lal Yadav S/o Late Satyanarayan Yadav Resident of Shyam, Ward
No. 11, P.S.- Gwalpara and District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Verma

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 20-11-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Gwalpara P.S. Case No. 234 of 2024 registered for the offences punishable under Sections 109, 3(5) of the BNS 2023 and Section 27 of the Arms Act,1959.

3. As per prosecution case, petitioner and others came on motorcycle and made indiscriminate firing at the house of the informant with intention to kill the informant. It is alleged that all the accused persons abused the informant and fled away. It is further alleged that prior to the present occurrence, on 19.06.2024, the firing was made upon the informant and for this Gawalpara P.S. Case No. 113 of 2024 was registered.

4. Learned counsel for the petitioner submits that



petitioner is quite innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Learned counsel further submits that there is delay of one day in lodging the FIR and no plausible explanation was given for the same. There is no specific allegation against the petitioner rather the same is general and omnibus in nature. Learned counsel further submits that petitioner bears criminal antecedent of one case in which he is on bail. Learned counsel further submits that although there is an allegation that the petitioner and four other accused persons fired continuously for about ten minutes but only two empty cartridges were recovered from the place of occurrence. Such a recovery itself falsifies and undermines the prosecution case. It is further submitted that nobody has sustained any injury in the alleged firing and as such no injury report is on record.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that there is allegation against the petitioner and he cannot escape from the allegation made in the FIR.

6. Considering the facts and circumstances of the case, argument advanced on behalf of both sides and also taking into consideration the material available on record, the



petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Udakishunganj in connection with Gwalpura P.S. Case No. 234 of 2024, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

(Alok Kumar Pandey, J)

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