

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69408 of 2024

Arising Out of PS. Case No.-206 Year-2023 Thana- NARPATGANJ District- Araria

Durganand Yadav S/O Dip Narayan yadav Resident of village-Simrahi ward
No. 12 Narpatganj, Distt-Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Rana
For the Informant	:	Mr. Kritya Nand Jha
For the Opposite Party/s	:	Mr.Brajendra Nath Pandey

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 05-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State as well as learned
counsel for the Informant.

2. The petitioner is apprehending his arrest in a case in
connection with Narpatganj P.S. Case No. 206 of 2023 dated
25.04.2023 registered for the offence/s punishable u/s 147, 148,
149, 341, 323, 307 of the Indian Penal Code and u/s 25 (1-B)a,
26, 35 and 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the
co-accused persons were fixing the pole in the informant's land.
When the informant's husband objected, all the accused persons
started abusing him. The petitioner Durganad fired on the
informant's husband with rifle causing bullet injuries on his



thigh and head. When Amit Kumar came to rescue, Amrendra Yadav fired on him causing a bullet injury on his thigh and Ranjit Mishra fired indiscriminately due to that Bal Krishna Kumar also sustained a bullet injury on his head. Jay Narayan Yadav and Sikander Yadav also fired indiscriminately due to that a labour sustained bullet injury on his leg. Thereafter, all the accused also assaulted the informant, her husband, her grandson and her son and fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Similarly situated co-accused has already been granted anticipatory bail by this court *vide* order dated 27.02.2024 passed in Cr. Misc. No. 7685 of 2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned counsel for the Informant as well as learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner by submitting that there is specific allegation against the petitioner of firing on the informant's husband due to that he sustained bullet injuries on his thigh and head. It is further submitted that the injury is stated to be grievous in nature.

6. Considering the aforesaid facts and circumstances



of the case as well as the specific and the heinous nature of allegation against the petitioner, I am of the view that no case for grant of anticipatory bail is made out and the same is rejected with direction to the petitioner to surrender before the Court below concerned within six weeks from the date of this order and the prayer for regular bail, the learned Court below may consider his prayer for regular bail in accordance with law and on its own merit without being prejudiced by this order.

7. The application stands rejected.

(Chandra Prakash Singh, J)

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