

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74917 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- Lakho District- Begusarai

Sunil Yadav @ Suneel Yadav @ Sunil Kumar Son of Vinodi Yadav @ Binodi Yadav @ Vinod Yadav R/O Village- Masti Fatehpur, (Masti Phatehpur), Ward No. 09, Bhairwar, P.S.- Muffasil District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 317-01-2025
1.

Heard learned Counsel for the petitioner and learned APP for the State.
2.

This application, for grant of anticipatory bail, arises out of Lakho PS case no. 12 of 2024, disclosing offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.
3.

As per the prosecution case, on 23.03.2024, the informant received information that his nephew, Aman Kumar, has sustained firearm injury in a marriage ceremony, which was going on in the house of the petitioner.
4.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case on mere suspicion. On the fateful day, the marriage ceremony of the

petitioner's daughter was going on which was being attended by villagers and other invitees including the victim. Due to firing made by co-accused Sudama Malakar, who was sitting just beside the victim on a chair, hitting the victim near his neck. Since the marriage ceremony was going on in the petitioner's house, the petitioner along with Sudama Malakar admitted the victim in the hospital. The statement of the victim was recorded by the police in which he has stated that bullet fired from the firearm of co-accused Sudama Malakar hit the victim. There was no intention on part of the petitioner to cause firearm injury to the victim.

5. On the other hand, learned counsel for the informant vehemently opposes the prayer for anticipatory bail and submits that it was the marriage ceremony of the petitioner's daughter, which was going on in the house of the petitioner where the firing was made due to which the informant's nephew sustained firearm injury in his neck and as such the petitioner is not entitled to be released on anticipatory bail.

6. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the victim during course of investigation did not disclose the name

of the petitioner and the firearm injury was caused by firing made by co-accused, Sudama Malakar in the marriage ceremony. I am inclined to grant the privilege of anticipatory bail to the petitioner.

7. This application is, accordingly, allowed.
8. Let petitioner, above named, in the event of his arrest or surrender before the Court below within three weeks, 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 J.M. 1st class, Begusarai in connection with Lakho PS case no. 12 of 2024, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

aditya/-

U			
---	--	--	--