

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78457 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- Kusumbha District- Sheikhpura

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1. Chando Yadav S/o Late Govind Yadav R/o vill - Badhaiya (Kusumbha), P.S. - Kusumbha, Distt. - Sheikhpura
 2. Rahul Kumar S/o Chando Yadav R/o vill - Badhaiya (Kusumbha), P.S. - Kusumbha, Distt. - Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinkar Kumar

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-02-2025 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. Learned counsel for the petitioners submits that the petitioner no. 1 seek permission to withdraw the present application.

3. Permission is accorded.

4. Accordingly, the present application of the petitioner no. 1 is dismissed as withdrawn.

5. The petitioner no. 2 is apprehending his arrest in connection with Kusumbha P.S. Case No. 30 of 2024 dated 17.06.2024 registered for the offences punishable under Section 302 and 506 read with Section 34 of the Indian Penal



Code and under Section 27 of Arms Act.

6. As per the prosecution case, the petitioner and the co-accused persons along with two unknown miscreants came to the house of the informant and the co-accused Kundan Kumar fired on the informant's niece Sudha Kumari due to which she succumbed to the injury.

7. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The other co-accused person has already been granted bail by this court *vide* order dated 04.09.2024 passed in Cr. Misc. No. 60818/2024. The specific allegation of firing is against the co-accused Kundan Kumar. Learned counsel for the petitioner has further submitted that the petitioner is a member of mob. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

8. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

9. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs.



20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Sheikhpura in connection with Kusumbha P.S. Case No. 30/2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

10. The application stands allowed.

(Chandra Prakash Singh, J)

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