

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84902 of 2024

Arising Out of PS. Case No.-186 Year-2024 Thana- BUDDHACOLONY District- Patna

Rohit Yadav S/O Gajendra Rai @ Gajendra Ray R/o - North Mandiri Chhakkan Tola
Ward no. 26, P.S- Budha Colony, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Ram Jiban Pd Singh, Adv.
For the Opposite Party/s : Mr.Shailendra Kumar, APP

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

ORAL ORDER

2 27-02-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Budha Colony P.S. Case No. 186 of 2024 dated 03.04.2024 registered for the offences punishable u/ss 341, 307, 506 read with section 34 of the Indian Penal Code and Sections 25(1-B)(a), 26, 27, 35 of the Arms Act.

3. As per the prosecution case, when the informant was walking with his dog on the road in front of his house, in the meantime, the petitioner and the co-accused persons fired on the head of the informant which was misfired. Thereafter, the petitioner and the other co-accused persons fled away from the spot but one of the co-accused persons namely, Ankit Kumar was caught by the mob and on search one country made pistol and misfired cartridges were recovered.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in this case. No one sustained fire arm injury. Nothing has been recovered from the possession of the petitioner. It is further submitted that the petitioner has no concern with the alleged recovery. The co-accused person has already been granted regular bail by this court vide order dated 21.08.2024 passed in Cr. Misc. No. 57085 of 2024. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. 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 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, Patna in connection with Budha Colony P.S. Case No. 186 of 2024, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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