

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39691 of 2016

Arising Out of PS.Case No. -158 Year- 2016 Thana -SAUR BAZAR District- SAHARSA

SURENDRA YADAV @ SURENEDRA YADAV Son of late Parmeshwar
Yadav Resident of Village- Khajuri PS Sour Bazar, district Sahara.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 15-11-2016 Heard both sides.

The petitioner apprehends his arrest in Sour Bazar P.S.
Case No. 158/2016, registered for the offences punishable under
Section 307 and other sections of the Indian Penal Code.

Vikash Kumar the informant named the petitioner along
with other accused persons and alleged that while he was on his
booth Dinesh Yadav assaulted him with iron rod on his head and
hand. Surendra Yadav (petitioner) assaulted Amrendra Kumar
with butt of pistol. Umesh Yadav assaulted Bijendra Yadav with
Farsa on his head.

Learned counsel for the petitioner submits that the
petitioner earlier in point of time filed Sour Bazar P.S. Case No.
157/2016. The present case is counter blast of this case in which



there is one abrasion on the head of the informant which is simple in nature. The same injury is alleged to have caused by the petitioner. Petitioner was also accused in a case of the year 1998, but petitioner was acquitted in the aforesaid case after trial in the year 2007 and that is why the police reported that the petitioner has got criminal antecedent.

On the other hand learned counsel for the informant and Mr. Ramesh Chandra learned A.P.P. vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that the petitioner has got criminal antecedent, but save and except one case in which the petitioner is said to have been acquitted no other case is pointed out. It is further submitted that the anticipatory bail petition of Umesh Yadav has already been rejected by this court but Umesh Yadav is alleged to have assaulted Bijendra Yadav with Farsa on his head. Petitioner is said to have assaulted Amrendra Kumar with butt of pistol and simple injury is caused to him.

Considering the facts aforesaid and the fact that there is case and counter case and simple injury is alleged to have caused by the petitioner, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order,

is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Saharsa in connection with Sour Bazar P.S. Case No. 158/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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