

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57734 of 2015

Arising Out of PS.Case No. -28 Year- 2014 Thana -MEDANICHOWK District- LAKHISARAI

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Surendra Yadav Son of Late Yugeshwar Yadav, resident of village- Heru
Diyara, P.S.- Kasim Bazar, District- Munger

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bharat Lal
For the Opposite Party/s : Mr. Nityanand(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Mednichowki P.S. Case No. 28 of 2014 registered for offences
punishable under Sections 147, 148, 149, 341, 307, 384, 386 and
420(B) of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that on 15.03.2014, the
informant along with his nephew Sanjeet Kumar and Uttam
Kumar was returning after seeing the girl for marriage purpose. At
about 7:00 P.M. while they reached near Hussaina Pul, accused
persons, including this petitioner, having gun, pistol in their hands,
surrounded his vehicle and took away his nephew, Uttam Kumar
on their vehicle. On protest made by the informant, the accused
persons opened fire.

The present case has been instituted on the basis of the

complaint lodged by the complainant alleging therein that there were 10 persons, who had a role in the commission of the alleged offence. No specific overt act has been alleged against the petitioner. It has further been submitted that the present case is a counter blast to the earlier case lodged by the petitioner against the informant and the victim Uttam Kumar, bearing Naya Ram Nagar P.S. Case No. 214 of 2013 in which the petitioner received grievous injury.

Be that as it may, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Mednichowki P.S. Case No. 28 of 2014, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

However, since the petitioner is accused in some other cases, if the petitioner, in future, is found to have committed offence of similar nature, learned court below will be at liberty to cancel his bail bond without being prejudiced by this order.

(Nilu Agrawal, J.)

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