

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2289 of 2016

Arising Out of PS.Case No. -140 Year- 2015 Thana -PAKARIBARAW District- NAWADA

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Surendra Yadav @ Suro Yadav Son of late Siboo Yadav Resident of
Village: Dorha, P.s: Pakaribarawan (Dhamaul), District Nawada.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Hansraj, Advocate

For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 19-01-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Pakaribarawan (Dhamaul) P. S. Case No. 140 of 2015
registered under Sections 341, 323, 325, 379, 354 B & 307 of
the Indian Penal Code.

It is contended that apart from the offences punishable
under Sections 379, 354-B and 307 of the Indian Penal Code, all
other offences are bailable in nature. Referring to the allegation
made in the FIR, it has further been contended that there is no
avermnt that the petitioner intended to kill the deceased. In that
view of the matter, the ingredients of the offence punishable

under Section 307 of the Indian Penal Code would not be attracted. It is also contended that there is also no allegation that the petitioner in any manner outraged the modesty of the informant and hence the ingredients of the offence punishable under Section 354 B of the Indian Penal Code would also not be attracted. It is also contended that the injury sustained by the informant was simple and superficial and hence the offence punishable under Section 325 of the Indian Penal Code would also not be attracted.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri N. K. Singh, Judicial Magistrate, 1st Class, Nawada in Pakaribarawan (Dhamaul) P. S. Case No. 140 of 2015, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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