

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.235 of 2016

Arising Out of PS.Case No. -125 Year- 2014 Thana -NIRMALI District- SUPAUL

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Surendra Yadav @ Surendra Prasad Yadav son of Kunjilal Yadav

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-01-2016

Heard learned counsels for the petitioner and the
State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 302, 307, 120B, 504 of the Indian Penal Code and 27 of the Arms Act.

It is alleged that the FIR named accused persons including the petitioner and 8-9 unknown came to the house of the informant and started assaulting the informant and his family members. It is further alleged co-accused Gajendra Yadav assaulted the informant on his head with butt of the pistol causing injury whereas other accused persons assaulted the other family members of the informant. In course of scuffling, uncle of the informant Kameshwar Yadav caught hold

the petitioner and in order to rescue the petitioner, Gajendra Yadav, shot fire which hit on the chest of Kameshwar Yadav.

It is submitted by learned counsel for the petitioner that specific overt-act has not been alleged against the petitioner and in the background of land dispute the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

The aforesaid facts constitute good ground for consideration of prayer for regular bail.

Let the learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Nirmali P.S. Case No.125/2014, pending before the learned SDJM, Birpur, Supaul.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

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