

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52230 of 2017

Arising Out of PS.Case No. -123 Year- 2017 Thana -SURYAGARHA District- LAKHISARAI

=====

Ritesh Kumar @ Chuhana, S/o Late Maheshwar Yadav, Resident of Vill-
Nista, P.S.- Surajgarha, District- Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Uday Chand Prasad (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Surajgarha P.S. Case No. 123 of 2017, registered for the
offences punishable under Sections 147, 148, 149, 447, 323, 324,
307, 302 and 120(B) of the Indian Penal Code and Section 27 of
Arms Act.

Allegedly, the petitioner and other F.I.R. named
accused persons being thirteen in numbers were opening
indiscriminate firing with an intention to kill and at the instigation
of co-accused Janardan Yadav, co-accused Laln Kumar opened
fire upon Salo Devi which hit in his right side of head and she fell
down, they were also uttering to kill ex-mukhiya Pappu Yadav
but due to protest of villagers the accused persons went away after
opening fire and thinking Salo Devi dead. Salo Devi was brought to



Primary Health Centre, Surajgadha where doctor declared her dead.

Submission is of false implication and that against the petitioner there is no specific allegation, the allegations are general and omnibus in nature. Specific allegation is against other co-accused and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that against the petitioner there is no specific allegation for assaulting anyone and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Lakhisarai, in connection with Surajgarha P.S. Case No. 123 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

