

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47025 of 2017

Arising Out of PS.Case No. -138 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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Savin Yadav @ Sarvan Yadav, Son of Rajendra Yadav, Resident of
Village-Gaurab Garh Kap, East, P.S. Sourbazar, District- Saharsa.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dinesh Prasad Verma, Advocate

For the Opposite Party : Mr. Amrendra Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 12-12-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Sourbazar P.S. Case No. 138 of 2017, registered for the
offences punishable under Sections 147, 148, 149, 341, 323, 324,
307, 385, 427, 504, 506 of the Indian Penal Code and Section 27
of the Arms Act.

Allegedly, in the First Information Report there is
allegation against Rajan Yadav to have given arrow blow in the
stomach of Ajay Yadav, the younger brother of the informant,
causing bleeding, Gajendra Yadav damaged the wheat crop, the
petitioner assaulted Shivnandan Yadav with lathi, Rakesh Kumar



assaulted by iron rod to Sambhu Yadav and Dhirm Yadav and Chandeshwari Yadav assaulted Suresh Yadav with lathi. Mukesh Yadav opened fire with an intention to kill him.

Submission is of false implication and that against the petitioner there is allegation to have assaulted Shivrindan Yadav who has received three injuries, out of which injury no.1 swelling over left forearm and that opinion has been kept reserved till X-ray report. Injury nos. 2 and 3 are swelling and abrasion and are simple in nature. Other co-accused Chandeshwari Prasad Yadav @ Chandeshwari Yadav, Chandra Kishore Yadav, Rakesh Kumar, Babu Saheb, Gajendra Yaadav and Dhirendra Yadav have been allowed pre-arrest bail by another co-ordinate benches of this Court and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from other co-accused who have been allowed pre-arrest bail.

In the facts and circumstances as stated above, 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 C.J.M., Saharsa, in connection with Sourbazar P.S. Case No. 138 of 2017, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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