

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12503 of 2017

Arising Out of PS.Case No. -282 Year- 2016 Thana -SAHPUR District- BHOJPUR

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Surendra Yadav, Son of Late Dhanpat Yadav, Resident of Village-
Ramkarhi, P.S.- Sahpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Aditya Narayan Singh-1, Advocate.

For the Opposite Party : Mr. Satyendra Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 23-03-2017 Heard both sides.

The petitioner seeks bail in Sahpur (Karnamepur) P.S.
Case No. 282 of 2016, registered for the offences punishable
under Section 302 and other Sections of the Indian Penal Code and
under Section 27 of the Arms Act.

The informant alleged that while he was returning from
Madhopur market and when he reached near Kali Ji Pandal at
09:40 in the morning he heard sound of firing. The informant saw
that Kamla Yadav, Manish Yadav, Dharmendra Sah, Pappu
Yadav, Mukesh Yadav, Shankar Yadav and Rajesh Yadav shot at
his uncle Lalji Yadav and his uncle fell down on the ground. His
cousin Mantu Yadav, son of the deceased started fleeing away on
such Jayshankar Yadav, Lallan Yadav and Dhanji Yadav caught



him and took him on the embankment. Kedar Yadav and Surendra Yadav, the petitioner exhorted to kill on such Lallan Yadav, Dhanji Yadav shot at his cousin and by that time many persons also assembled and the accused persons fled away from the place of occurrence.

Learned counsel for the petitioner submits that there is inordinate delay in lodging the case. The police on receiving information reached at the place of occurrence much prior to the arrival of the informant, but in the meantime the people assembled there raised hue and cry. The injured were taken to hospital for treatment and only thereafter the police recorded the statement of the informant who implicated the petitioner and others on account of enmity and land dispute. It is further submitted that the petitioner is not the assailant of any of the two deceased, he is simply an order giver, with regard to second part of the occurrence the petitioner is in jail since 02.11.2016.

Considering the facts aforesaid and the facts that the petitioner is not the assailant of the deceased and he is simply an order giver for that the petitioner is in jail for about five months, the petitioner above named is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief



Judicial Magistrate, Bhojpur, Ara in Sahpur (Karnamepur) P.S.
Case No. 282 of 2016.

(Prabhat Kumar Jha, J.)

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