

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49883 of 2017

Arising Out of PS.Case No. -364 Year- 2017 Thana -DANAPUR District- PATNA

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1. Surendra Kumar @ Surender Kumar, son of Late Ishwari Pd. Yadav,
resident of Village- Naya Tola, P.S. Danapur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar Ray

For the Opposite Party/s : Mr. Sri Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 27-11-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Danapur P.S. Case No. 364 of 2017 dated 13.06.2017 instituted for the offences under Sections 341, 342, 323, 307, 504/34 of the Indian Penal Code and Section 27 of the Arms Act, but later, with the death of one Sanjay Paswan, Section 302 of the Indian Penal Code was added.

The petitioner is said to have opened fire on the informant and others on the order of one Rajdeo Yadav. The firing resorted to by the petitioner hit the informant on his ankle. The injury suffered by the informant is stated to be grievance in nature. The firing resorted to by other accused persons led to injuries on two of the passers-by, one of whom later died.



Learned counsel for the petitioner submits that there is a land dispute between the parties and a counter case has also been lodged, prior to lodging of the present case by the wife of the order giver, Rajdeo Yadav. The petitioner did not have any criminal antecedent before the lodging of the present case, but now, he has been made accused in another case being Danapur P.S. Case No. 547/2017 for the offences under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is stated to be in custody since 14.06.2017.

Regard being had to the aforesaid facts, specially the petitioner not being the assailant of the deceased, the petitioner above named is directed to be released on bail on his furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Danapur P.S. Case No. 364 of 2017.

(Ashutosh Kumar, J.)

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