

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9081 of 2017

Arising Out of PS.Case No. -228 Year- 2016 Thana -WAJIRGANJ District- GAYA

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Ramashish Yadav, Son of Sri Naresh Yadav, Resident of Village- Birne,
P.S.- Wazirganj, District- Gaya. Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Sri Upendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Wazirganj P.S. Case No. 228 of 2016 registered for the
offences punishable under Sections 147, 148, 149, 452, 341, 323,
325, 307, 354, 427 and 379 of the Indian Penal Code and Section
27 of the Arms Act, seeks the privilege of pre-arrest bail.

Allegedly, in the occurrence, the petitioner and Kailash
Yadav assaulted the father of the informant on his back and
shoulder causing injury to him.

Submission is of false implication and that there is no
specific allegation against the petitioner and Kailash Yadav. There
is general allegation to have assaulted the father of the informant
with lathi on his back and shoulder. In this case co-accused Sri



Ram Yadav has already been allowed pre-arrest bail vide Criminal Miscellaneous No. 1417 of 2017 by order dated 17.01.2017 by another coordinate Bench of this Court and the case of the petitioner is on better footing.

The learned A.P.P. is not in a position to distinguish the case of the petitioner from that of co-accused.

In the facts and circumstances as stated above, the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Chief Judicial Magistrate, Gaya in connection with Wazirganj P.S. Case No. 228 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

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