

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17023 of 2018

Arising Out of PS. Case No.-119 Year-2017 Thana- BHANGWANPUR HAT District- Siwan

Munna Yadav S/o Madan Yadav R/o Village - Juafar, P.S. - Bhagwanpur Hat,
District - Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Sri Surendra Kumar

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

ORAL ORDER

2 05-04-2018 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection with Bhagwanpur Hat P.S. Case No. 119 of 2017, registered for the offences punishable under Sections 147, 148, 149, 323, 307, 302, 504 of the Indian Penal Code.

Allegedly, the petitioner and other F.I.R. named accused persons assaulted the informant and when Sakaldev Yadav, Munshi Yadav and Juli Devi came for rescue, the accused persons assaulted them also with axe, farsa, tangi, lathi and danda. During treatment at Sadar Hospital Siwan, Sakaldev Yadav succumbed to the injury. It is alleged that earlier also for that land altercation has taken place with the accused persons.

Submission is of false implication and that mother of the petitioner has lodged Bhagwanpur Hat P.S. Case No. 118 of



2017 and then this case has been lodged, there is no specific allegation against the petitioner. Similarly situated co-accused Rabindra Yadav, Satendra Yadav and Nawab Yadav have been allowed pre-arrest bail vide Cr. Misc. No. 62114 of 2017 and Cr. Misc. No. 1590 of 2018 vide order dated 07.02.2018 by another co-ordinate Bench of this Court vide Aeenxure-2. As on the person of deceased Sakaldev Yadav, the doctor has found only one injury on skull and no injury report of any injured have been found in the case diary and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. fairly submits that other three co-accused have been allowed pre-arrest bail vide Annexure-2.

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 A.C.J.M. II, Siwan, in connection with Bhagwanpur Hat P.S. Case No. 119 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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