

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53134 of 2018

Arising Out of PS.Case No. -36 Year- 2018 Thana -JAMUI District- JAMUI

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Surendra Yadav son of Lakhan Yadav, resident of Village- Dighoi, P.S.
Jamui, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 08-10-2018

Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in
connection with Jamui P.S. Case No. 36/2018 registered
under Sections 147, 148, 149, 307, 447, 504, 506 of the
Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioner submits that
so far as the present petitioner is concerned he has been
falsely implicated in this case because of a land dispute. The
informant has himself stated about the land dispute between
the parties. It is submitted that the specific allegation of
assault is against one Baleshwar Yadav who is in custody.

It is submitted that this petitioner has been
implicated in the case alleging that he had also gone along
with the co-accused to the house of the informant and had
instigated the co-accused to kill the informant.

Learned counsel submits that there is no
allegation of assault against this petitioner.

Learned Additional Public Prosecutor



representing the State has opposes the prayer for anticipatory bail and submits that one case is on the head of the petitioner which too was lodged by the informant of the present case in which the petitioner is on bail.

Considering the facts and circumstances of the case wherein it is submitted that there is no allegation of causing assault against this petitioner and the parties are in land dispute as also that the co-accused of this case has been granted privilege of anticipatory bail by the learned coordinate Bench of this court in Cr. Misc. No. 36601/2018 and Cr. Misc. No. 36649/2018, in the event of his arrest/surrender before the court below within four weeks, let the above-named petitioner be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jamui, in connection with Jamui P.S. Case No. 36/2018, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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