

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4317 of 2018

Arising Out of PS.Case No. -277 Year- 2016 Thana -TRIVENIGANJ District- SUPAUL

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Surya Narayan Yadav S/o Upendra Yadav, R/o Village- Tituaha Ward No. 13, P.S.- Triveniganj, District- Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

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

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 01-02-2018

The petitioner seeks bail in anticipation of his arrest in connection with Triveniganj P.S. Case No. 277 of 2016 dated 13.12.2016 instituted for the offences under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

The informant has alleged that his brother, because of past enmity, was surrounded by around 7-8 accused persons including the petitioner and was fired at by one Abhimanyu Yadav leading to his death. The occurrence is said to have been witnessed by one Rajesh Yadav who was coming through that way and he disclosed the name of the petitioner and others to the informant.

Learned counsel for the petitioner has submitted that the act of firing is alleged against Abhimanyu Yadav and not



against any other accused persons including the petitioner. He has further submitted that there is an admitted dispute between the parties and because the petitioner resides in the same village, he is taken to be a supporter of aforesaid Abhimanyu Yadav and his friends. Learned counsel appearing for the petitioner has further argued that even Rajesh Yadav, who is said to have witnessed the occurrence was only coming through that way where the deceased was fired. There is thus little possibility of his having seen the occurrence.

The petitioner has clean antecedents.

For the facts stated above, the petitioner, above named is directed to be released on bail, in the event of his surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order, subject to his furnishing bail bond in the sum of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Triveniganj P.S. Case No. 277 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Ashutosh Kumar, J)

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