

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31277 of 2018

Arising Out of PS.Case No. -39 Year- 2018 Thana -SISWAN District- SIWAN

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Surendra Yadav, s/o Late Chandrika Yadav, r/v-Rampur (M.H. Nagar), P.S.
M.H. Nagar, District-Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar

For the Opposite Party/s : Mr. Mukeshwar Dayal APP

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 21-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Siswan (M.H. Nagar)
P.S. Case No. 39/2018 registered under Sections 120B, 341, 323,
324, 325, 307 and 34 of the Indian Penal Code read with Section
27 of the Arms Act.

As per the prosecution case, the petitioner along
with three other accused persons are said to have assaulted on the
jaw of the nephew of the informant, namely, Oshihar Yadav by
means of firearm making him injured while he was proceeding
with Manoj Yadav on a motorcycle. The name of the petitioner
has been disclosed in the occurrence by the victim in his written
statement.

It is submitted by learned counsel for the petitioner



that the petitioner has no concern with the aforesaid occurrence. He has been falsely implicated in this case by Oshihar Yadav due to animosity. The companion of the injured, namely, Manoj Yadav has not named the petitioner in the occurrence. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. As the injured has sustained only one injury, assailant of the said injury is not ascertained. Petitioner has no criminal antecedent. The petitioner has been languishing in custody since 06.03.2018.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Siwan in connection with Siswan (M.H. Nagar) P.S. Case No. 39/2018.

(Prakash Chandra Jaiswal, J.)

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