

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66884 of 2019

Arising Out of PS. Case No.-285 Year-2019 Thana- SAUR BAZAR District- Saharsa

1. SURENDRA YADAV @ SURENDRA YADVA Son of Dilip Yadav
Resident of Village - Kishanpur, Ward No. 09, P.S.- Sour Bazar, District -
Saharsa.
2. Vimal Kumar @ Pintu @ Bittu @ Bimal Yadav Son of Surendra Yadav
Resident of Village - Kishanpur, Ward No. 09, P.S.- Sour Bazar, District -
Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhav Jha, Adv.
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned Counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections 341, 323, 342, 307,
504, 506 and 34 of the Indian Penal Code and Section 27 of the
Arms Act.

The prosecution case is that in the background of land
dispute, on the order of petitioner no.1, Surendra Yadav @
Surendra Yadva, petitioner no.2, Vimal Kumar fired from a
country made pistol, causing injury to the husband of the
informant.

It is submitted by learned counsel for the petitioners that



that in the background of land dispute, the accusation has been levelled against the petitioner and the impugned order does not suggest any grievous injury received by the husband of the informant. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that there is specific accusation against the petitioners in the FIR.

Considering the fact that accusation of assault has not been levelled against petitioner no.1, Surendra Yadav @ Surendra Yadvu, let him be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa, in connection with Sour Bazar (Patarghat O.P.) P.S. Case No.285 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

So far as petitioner no.2, Vimal Kumar @ Pintu @ Bittu @ Bimal Yadav is concerned, let him be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on



furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa, in connection with Sour Bazar (Patarghat O.P.) P.S. Case No.285 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., subject to verification of the fact by the learned Court below to the effect that the injury of the husband of the informant has not been found to be grievous, particularly by the fire arm, as alleged to have been caused by petitioner no.2.

In the event, injury of the husband of the informant is found grievous, the petitioner no.2 will surrender before the learned Court below and pray for regular bail.

(Dinesh Kumar Singh, J)

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