

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73056 of 2019

Arising Out of PS. Case No.-118 Year-2019 Thana- SURYAGARHA District- Lakhisarai

ASHOK YADAV, aged about 43 years, Male, Son of Peru Yadav, Resident of
Village - Dhanari, P.S.- Surajgarha, District – Lakhisarai

... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Umesh Prasad, Adv.

For the Opposite Party : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 19-11-2019

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

The petitioner seeks pre-arrest bail in connection with
Surajgarha P.S. Case No. 118 of 2019 registered under Sections 147,
148, 149, 323, 324, 307, 427 and 448 of the Indian Penal Code.

The accusation is that in the morning of 01.05.2019,
informant, Raj Kumar Pandit, was in his house, at that time, his
cousin, Pawan Pandit, called him, when informant came out of house
and asked to fix electric pole at some distance to his house, then, he
started shouting. In the meantime, 12 persons, named in the first
information report, having khanti, lathi, stones and stones chips came
there and started to abuse and cause assault and all entered into the
house breaking the door and caused injury at the head of his mother,
Chandmuni Devi. His father, Bhaso Pandit, was assaulted through
khanti, in which he sustained injury at his head.

Submission is that while the petitioner is named in the first
information report, but, no specific overt act has been attributed



against the petitioner. More over, injuries on the informant, Raj Kumar Pandit, Rajan Pandit, Rajesh Pandit and Munni Devi, are simple in nature, except injury no. 1, which is swelling of right forearm of Rajan Pandit, which is said to be grievous in nature and opinion regarding injury of Rajesh Pandit is kept reserve. Further, submission is that similarly situated co-accused, Binod Yadav, Pappu Yadav and Sohan Yadav, have already been allowed the privilege of pre-arrest bail in Cr. Misc. No. 46158 of 2019 on 04.09.2019.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Surajgarha P.S. Case No. 118 of 2019 shall be released 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 Chief Judicial Magistrate, Lakhisarai, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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