

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80389 of 2019

Arising Out of PS. Case No.-1244 Year-2018 Thana- SAHARSA District- Saharsa

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SURAJ YADAV Son of Bijendra Yadav Resident of Mohalla - Kaillu Chowk,
Gangjala, Ward No. 12, P.S. - Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rashmi Jha.

For the Opposite Party/s : Mr. Ansar Ul Haque

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 06-12-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with S. Tr. No. 93
of 2019 arising out of Saharsa Sadar P.S. Case No. 1244 of 2018
registered under Sections 307, 302, 504, 506 and other allied
sections of the I.P.C.

Submission of learned counsel for the petitioner is
that petitioner is innocent and has falsely been implicated in this
case due to previous enmity. On perusal of the F.I.R. itself, it
appears that there is allegation against the petitioner of knife
blow at the head of the deceased and brother of the informant
but all the injuries caused by the petitioner is found simple in
nature, as contained in Annexures-2 and 2/1 to the bail
application. Further submission is that there is specific



allegation of assault against co-accused persons brutally by means of knife upon the deceased, who died in course of treatment. Hence, the offence under section 302 of I.P.C. is not made out against the petitioner. Petitioner is in custody since 26.11.2018.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional District and Sessions Judge-III, Saharsa in connection with Sessions Trial No. 93 of 2019 arising out of Saharsa Sadar P.S. Case No. 1244 of 2018.

(Arvind Srivastava, J)

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