

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31938 of 2021

Arising Out of PS. Case No.-196 Year-2020 Thana- BAKHTIYARPUR District- Patna

SURENDRA YADAV @ SURENDRA KUMAR SINGH, Son of Late
Ramjee Singh, Resident of Village - Alipur, P.S.- Salimpur, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Tej Narayan Singh, Advocate
For the Opposite Party : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-02-2022 Heard learned counsel for the parties through video conferencing.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Bakhtiyarpur P.S. Case No. 196 of 2020 for the offence punishable under Sections 341, 326, 307, 302, 120-B of the Indian Penal Code and under Section 27 of the Arms Act.

At the very outset, learned counsel for the petitioner submits that due to mistake it has been stated in paragraph no.3 of the bail petition that the petitioner has clean antecedent whereas, the petitioner is accused in one more case.

Learned counsel for the petitioner further submits



that as per the F.I.R. altogether five persons are made accused in this case and there is specific allegation against co-accused Dina Nath Yadav, who is the son of the petitioner. He also submits that the petitioner is a retired Government servant, who is 67 years of old and he has falsely been implicated in this case because he is the father of co-accused Dina Nath Yadav. He next submits that the deceased has sustained only one gunshot injury, which is apparent from the postmortem report and this goes to show that the allegation levelled against the petitioner is false.

Considering the above submissions of learned counsel for the petitioner, it appears that though the deceased might have been killed by co-accused Dina Nath Yadav but some of the other persons have falsely been implicated and the petitioner may be one of them.

Considering the age of the petitioner as also the postmortem report and also in view of the fact that he is not the assailant of the deceased and he was a Government servant, this bail application is also allowed.

Let the petitioner, above named, in the event of his his arrest/surrender within ten weeks from today in the Court below, 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 the learned A.C.J.M., Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 196 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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