

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41198 of 2021

Arising Out of PS. Case No.-218 Year-2019 Thana- SIKANDRA District- Jamui

SURAJ YADAV @ SURAJDEO YADAV Son of Laqte Phakira Yadav
Resident of Village - Khewsar, P.S.- Sikandra, Distt.- Jamui.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Pramod Kumar
For the Opposite Party/s :	Mr.Prem Kumar Jha
For the Informant :	Mr. Santosh Kumar
	Mr. Nishant Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 05-01-2022 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioner, learned Additional Public Prosecutor appearing on behalf of the State and learned counsel for the informant.

This application for grant of regular bail arises out of Sikandra P.S. Case No. 218 of 2019, registered for the offence punishable under Section 147, 148, 149, 325, 302, 504 and 506 of the Indian Penal Code.

According to the prosecution's case, the persons, named in the First Information Report, had come to the place of occurrence variously armed. The land dispute is the apparent reason behind the occurrence. There is allegation that, at the instance of the petitioner, co-accused Tuntun Yadav had shot at



the deceased and subsequently, the petitioner and co-accused Yogendra Yadav also shot at him.

Learned counsel appearing on behalf of the petitioner has drawn this Court's attention to an order passed by this Court dated 27.05.2020 in Cr. Misc. No. 82221 of 2019, whereby co-accused Surendra Yadav and Maho Yadav have been given privilege of regular bail.

In my considered opinion, the case of this petitioner is clearly distinguishable from those who were allowed regular bail by this Court by the said order dated 27.05.2020 passed in Cr. Misc. No. 82221 of 2019 for the reason that there is specific allegation of assault made by firearm against this petitioner and co-accused Yogendra Yadav in addition to the co-accused Tuntun Yadav. The petitioner being one of the main assailants, I am not inclined to grant him privilege of regular bail.

This application is accordingly rejected.

(Chakradhari Sharan Singh, J)

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