

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49499 of 2022

Arising Out of PS. Case No.-317 Year-2021 Thana- KASIMBAZAR District- Munger

SAURAV KUMAR @ SAURAV YADAV Son of Suryadeo Yadav @
Surajdev Yadav Resident of Mohalla - Navtolia Bindwara, P.S.- Kasim Bazar,
District - Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate

For the Opposite Party/s : Dr.Mrityunjaya Kr. Gautam, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 16-12-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the office within one

month.

Heard the learned senior counsel, Mr. N.K.
Agarwal, for the petitioner as well as Dr. Mrityunjaya Kumar
Gautam, learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Kasim Bazar P.S. Case No. 317 of 2021,
registered for the offences punishable under Sections 341, 323,
504, 307, 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

There is specific allegation on Savan Yadav that he
fired shot on the deceased at the order of co-accused Nirala



Yadav. The allegation against the petitioner and co-accused Rishabh Kumar is that they had caught hold of the deceased.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As a matter of fact, the deceased was veteran criminal of the locality and altogether 19 criminal cases are pending against the informant and his family members. He has also submitted that on similar footing co-accused Nirala Yadav who is alleged to be order giver has been granted bail by the coordinate Bench of this Court vide Cr. Misc No. 48527 of 2022.

The learned counsel for the petitioner has further submitted in paragraph no. 3 of the bail petition, four cases have been disclosed against the petitioner but none of the above-mentioned case has been lodged in serious matters like 302 or 395 of the IPC rather these are the cases in minor sections of the IPC and most severe Section is 307 of the IPC.

Considering the above-mentioned facts and circumstances and also considering the period of incarceration i.e., 2.12.2021, let the petitioner above-named be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Addl.



Sessions Judge-V, Munger in connection with Kasim Bazar P.S.

Case No. 317 of 2021, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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