

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24861 of 2023

Arising Out of PS. Case No.-584 Year-2022 Thana- BRAHMPUR District- Buxar

Surendra Yadav @ Surendra Kumar Yadav, aged about 25 years (Male), son of Nand Kishore Yadav, resident of village Barki Nainijor, P.s. Nainijor, District Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 414, 353, 307, 332, 333, 504 & 506/34 of the Indian Penal Code and Section 25 (1-B) a, 26, 27 & 35 of the Arms Act.

The allegation against the petitioner is that he along with other co-accused is said to have resorted firing by *Katta* on the police personnel.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to highhandedness of the police. It is further stated that the name



of this petitioner transpired in this case on the confessional statement of co-accused which has no evidentiary value in the eye of law. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Brahmpur (Nainizore) P.S. Case No. 584 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

The learned Court below is directed to verify the criminal antecedent of the petitioner before accepting the bail bond and if any criminal antecedent is found then the bail bond of the petitioner shall not be accepted.

(Anjani Kumar Sharan, J)

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