

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69042 of 2022

Arising Out of PS. Case No.-148 Year-2020 Thana- MUNGER MUFFASIL District- Munger

SURAJ YADAV S/O Chandra Shekar Yadav @ Shekho @ Hattu Yadav R/O
Village- Mai Toufir, Karari Tola, P.O- Taufir, P.S- Muffasil, District- Munger
... .. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 20-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 341, 323, 379, 302, 504/34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, while Gautam singh having an amount 50,000/- in his pocket and the son of the informant having Rs. 20,000/- in his pocket, were returning from market after selling maize, petitioner and co-accused caught hold him and snatched their money and started to assault them. Accused persons opened fire as a result of which informant's son Rishideo Singh received bullet injury and died on spot and Gautam became unconscious.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Specific allegation of shot dead to informant's son is attributed to co-



accused Shamsheer Yadav, Amarjeet Yadav and when informant's son tried to escape, then co-accused Nago Yadav and Kare Kumar Yadav again fired upon him. Specific allegation against the petitioner is of assaulting to Gautam Singh by means of lathi and Danda by which he has received simple injury as mentioned in para-75 of the case diary. No case is made out against the petitioner u/s 302 IPC and Section 27 of the Arms Act. Petitioner is languishing in judicial custody since 10.08.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned CJM, Munger in connection with Muffasil P.S. Case No. 148 of 2020.

(Sunil Kumar Panwar, J)

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