

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78566 of 2023

Arising Out of PS. Case No.-350 Year-2023 Thana- NOORSARAI District- Nalanda

Suraj Kumar Son of Ganesh Yadav R/O Vill - Kishunpur Dahper, P.S. -
Noorsarai, Dist. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samir Kumar Sinha, Adv.

For the Opposite Party/s : Ms.Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Noorsarai P.S. Case No. 350 of 2023 instituted for the offences
under Sections 147, 149, 341, 323, 307, 504, 506 of the Indian
Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the Informant
got an information that the accused persons are assaulting his
father. On such information, he and his brother reached at the
place of occurrence and saw that the accused persons including
the petitioner are assaulting his father by means of Lathi and
Danda. When they tried to save his father, accused/Pankaj
Kumar fired upon his brother as a result of which, his brother
fell down. Thereafter, the accused persons fled away from there.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case due to land dispute. The parties are Gotiya. There is a case and counter case between the parties. General and omnibus allegation has been made against the petitioner and there is delay of two days in lodging the F.I.R. and no satisfactory explanation has been given for the same. The petitioner has no criminal antecedent. Charge-sheet has been submitted in this case by the police.

5. The petitioner is languishing in judicial custody since 02.08.2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and taking into account the petitioner having no criminal antecedent as also the period of custody, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Noorsarai P.S. case No. 350 of 2023.

(Rudra Prakash Mishra, J)

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