

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80459 of 2023

Arising Out of PS. Case No.-84 Year-2023 Thana- KEWATI District- Darbhanga

SURENDRA YADAV @ THAPA @ SURESH KUMAR YADAV SON OF
KISHORI YADAV RESIDENT OF VILLAGE- DUDHIYA, PS- KAMTAUL,
DIST- DARBHANGA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Gagan Deo Yadav, Adv. Mr. Ravi Prakash, Adv. Mr. Rajesh Kumar, Adv.
For the Opposite Party/s	:	Mr. Dinesh Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 120(B), 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegedly, on the order of this petitioner, other co-accused persons opened fire upon the brother of the informant due to which he sustained bullet injury and died during course of treatment.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been



falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature as he is only an order giver. There is specific allegation against co-accused Abhishek Kumar. Similarly situated co-accused have been enlarged on bail by different co-ordinate bench of this court. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, 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 Keoti P.S. Case No. 84 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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