

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34070 of 2024

Arising Out of PS. Case No.-755 Year-2023 Thana- BELAGANJ District- Gaya

Surendra Yadav @ Surendra Kumar Yadav @ Surendra Kumar Son of Late
Muneshwar Yadav @ Bhuneshwar Yadav Resident of Village- Bikram Bigha,
Police Station- Belaganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, APP

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

ORAL ORDER

2 02-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Belaganj P.S. Case No. 755 of 2023 instituted for the offences under Sections 307, 147, 149, 341, 354(a), 379, 504 and 506 of the Indian Penal Code.

3. Prosecution allegation, in short, is that the six named accused persons who are neighbours of the informant came armed with various weapons and started abusing and assaulted him. The petitioner assaulted him on his head, when the informant's wife came for his rescue with informant's brother, she was also assaulted and misbehaved by the accused persons.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case due to drainage dispute going since last long back. On the date of occurrence the said drainage dispute turned into altercation and fight. In fact the petitioner was assaulted by the informant. There is case and counter case between the parties. As per injury report out of four injuries, only one has been found to be grievous in nature. Charge-sheet has been submitted in this case. The petitioner is in custody since 07.01.2024 and has got antecedent of four criminal cases.

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

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Belaganj P.S. Case NO. 755 of 2023 subject to the following conditions.

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Prakash/-

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