

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41546 of 2024

Arising Out of PS. Case No.-530 Year-2023 Thana- DHANARUA District- Patna

Surendra Yadav, @ Surendra Prasad Yadav, aged about 53 years (Male), Son of Ramchandra Yadav, Resident of village - Fajalchak, P.S.- Gaurichak, District - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Arbind Kumar Singh, Advocate
For the Informant	:	M/S. Md. Murad Ashraf and Vikash Kumar Jha, Advocates
For the State	:	Mr. Bharat Lal, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 20-06-2024 Heard learned counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Sessions Trial No. 1309 of 2023, arising out of Dhanarua P.S. Case No. 530 of 2023 dated 28.08.2023 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons alongwith 20 unknown miscreants are alleged to have shot the informant's brother dead.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. It is submitted that there is general and omnibus allegation against the petitioner. There is also land dispute between the parties and the informant and the deceased are own nephews of the petitioner. It is further submitted that the distance of the place of occurrence is 7 K.M. from the native village of the petitioner and during the course of investigation, the police has only examined the mother and father of the informant who could not be assumed to be the eye witnesses of the occurrence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 30.08.2023.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Masaurhi in connection with Sessions Trial no. 1309 of 2023, arising out of Dhanarua P.S. Case No. 530 of 2023 with further condition:-



(I) The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

