

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46479 of 2024

Arising Out of PS. Case No.-209 Year-2023 Thana- HALSI District- Lakhisarai

Saryug Yadav @ Sarjug Yadav

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rabi Bhushan, Advocate
For the Opposite Party/s	:	Mr.Shantanu Kumar, APP
For the Informant	:	Mr.Arun Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-07-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Halsi P.S. case No. 209 of 2023 instituted for the offences under Sections 341, 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that all the FIR named accused persons, variously armed, assaulted the father of the informant. It is further alleged that co-accused Bittu Yadav and Santosh Kumar assaulted with weapons and fired on the father of the informant due to which he sustained injuries and died.

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



present case due to local village politics. The specific accusation of firing on the deceased is attributed to co-accused persons Bittu Yadav and Santosh Kumar. The co-accused person has already been granted regular bail by this Court vide order dated 20.03.2024 passed in Cr. Misc. No. 20946 of 2024. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that there is direct allegation as per the FIR that this petitioner caught hold of the deceased and subsequently he was murdered by co-accused person. Learned counsel for the informant further submitted that the anticipatory bail of similarly situated co-accused person was rejected by this Bench vide order dated 29.06.2024 passed in Cr. Misc. No. 43885 of 2024. Learned APP, therefore, submitted that considering the heinous nature of allegation against the petitioner, he may not be released on bail.

6. Having considered the rival submissions of both the parties and material available on record, and taking into account the nature and gravity of offence, this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer is rejected. However, liberty is given to the petitioner to surrender before the learned Court below within six weeks from today and seek regular bail. If any such application is filed, the learned Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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