

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82632 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- MALI District- Aurangabad

SIMPU YADAV @ NIRAJ KUMAR S/O UDAY YADAV R/O VILLAGE-
GIJNA, P.S- JAMHORE, DISTT.- AURANGABAD (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Adv.
For the Opposite Party/s : Mr.Jai Narain Thakur, APP.
Mr. Sanjay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-01-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 302, 34 of the Indian Penal Code, 1860 and Section 27 of the Arms Act, 1959.

3. Allegedly, upon instigation by all the accused persons, co-accused Guddu @ Niranjan Yadav fired upon the father of the informant as a result of which he died on the spot.

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. There is specific overt act against co-accused Guddu @ Niranjan Yadav. At best, petitioner can be said a member of the mob. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant 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 Mali P.S. Case No. 77 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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