

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4751 of 2025

Arising Out of PS. Case No.-308 Year-2017 Thana- BELAGANJ District- Gaya

Surendra Yadav S/O Mungeshwar Yadav Resident of Village- Maharaj Bigha,
Police Station- Chandauti, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Arvind Kumar, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2025 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case 149, 323, 325, 307 and 379 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on the alleged date of occurrence, Ram Ji Yadav and Rakhi Devi came to rescue informant and his wife, this petitioner, along with co-accused Suresh Yadav and Vikash Yadav and two unknown persons, assaulted them with butt of pistol and co-accused Mahesh Yadav fired which hit younger brother of informant, who died during course of treatment.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has



committed no offence. From bare perusal of the F.I.R. it is apparent that it was co-accused Mahesh yadav who shot younger brother of informant as a result of which he died during course of treatment. Petitioner is not assailant of the deceased and he is only alleged to have assaulted Ram Ji Yadav and Rakhi Devi. Injuries allegedly caused by this petitioner are simple in nature. It is further submitted that police after investigation submitted final form and has not found involvement of this petitioner in the alleged occurrence. Petitioner claims clean antecedents.

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

6. Considering the aforesaid facts and circumstances, nature of accusation, nature of injuries sustained by the injured and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate-XIth, Gaya in connection with Belaganj P.S. Case No.
308 of 2017, subject to condition as laid down under Section
438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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