

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37437 of 2025

Arising Out of PS. Case No.-1268 Year-2023 Thana- SHERGHATI District- Gaya

Surendra Yadav, aged about 39 years (Male), S/o- Sadhu Yadav, R/O- Ghoda Jara, P.S.- Sherghati, Distt- Gaya, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rahul Kumar, Advocate
For the Opposite Party : Mr. Rabindra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-07-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sherghati P.S. Case No. 1268 of 2023 dated 23.12.2023 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 354B, 448, 506 of the I.P.C. and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner alongwith other co-accused persons armed with pistol, rifle, sword, axe, iron khanti and lathi-danda brutally assaulted the informant's family members and others, due to which, they sustained multiple injuries on vital and non-vital parts of their bodies. It is further alleged that the petitioner alongwith others



entered the house of the victim, namely, Mamta Kumari, and assaulted her while one Sandeep Kumar tried to disrobe her modesty. The petitioner alongwith others have also fired six round at the place of occurrence and threatened the informant to withdraw Sherghati P.S. Case No. 625 of 2022.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that there is general and omnibus allegation against the petitioner. The petitioner has no concern with the alleged offence. There is no injury inflicted on the petitioner. There is case and counter case between the parties. The petitioner is a member of the mob. It is further submitted that other co-accused persons, Devraj Yadav and Kamlesh Yadav have already been granted anticipatory bail by the Co-ordinate Bench of this Court in Cr. Misc. No. 21850 of 2025 vide order dated 30.04.2025, annexed as Annexure-2 to the present bail petition. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his



arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist Sherghati in connection with Sherghati P.S. Case No. 1268 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(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)

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