

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58362 of 2025

Arising Out of PS. Case No.-216 Year-2024 Thana- SALAKHUA District- Saharsa

Suren @ Surendra Yadav S/O Late Narayan Yadav R/O Village- Goshpur,
Ward No. 5, P.S.- Salkhua, Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.M. Ashraf, Sr. Advocate Mr. Rana Hason, Advocate Mrs Homa Yunus, Advocate
For the Opposite Party/s :		Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126(2), 191(2), 191(3), 190, 115(2), 118(1), 302(2), 103(1), 352, 351(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The case of the prosecution is that altogether eight named accused persons including the petitioner committed the murder of the brother of the informant. Allegation of firing against Ajit Kumar and Gaurav Kumar. Only allegation against this petitioner is that he assaulted with lathi and iron rod to Raman Kumar.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has submitted that from perusal of the FIR, it is clear that the petitioner was only a member of mob and he has not fired on the deceased whereas the only allegation against him is that of assaulting with lathi and iron rod to Raman. It has also been submitted that co-accused Phudo Yadav having similar nature of allegation has been granted anticipatory bail by learned co-ordinate Bench of this Court vide order dated 22.05.2025 in Cr. Misc. No. 34256 of 2025. The case of this petitioner stands on similar footing. It is clear that the FIR does not suggest any overt act against the petitioner except that of assaulting with iron rod and lathi to Raman Kumar. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 06.02.2025.

5. Learned APP appearing for the State has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named



petitioner is directed to be released on bail in connection with
Salkhua P.S. Case No. 216 of 2024 on furnishing bail bond of
Rs.10,000/- (ten thousand) with two sureties of the like amount
each to the satisfaction of learned Chief Judicial Magistrate,
Saharsa.

(Ashok Kumar Pandey, J)

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