

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79434 of 2024

Arising Out of PS. Case No.-320 Year-2023 Thana- NAYA RAM NAGAR District- Munger

Suraj Yadav @ Suraj Kumar S/O Late Santu Yadav R/o Village-English
Singhiya, P.S-Naya Ramnagar, District-Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 07-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Naya Ramnagar P.S. Case No. 320 of 2023 instituted for the offences under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, the accusation against the accused persons including the petitioner is of firing several bullets upon the informant's son, as a result of which he died.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case due to admitted land dispute between the parties. Learned counsel for the petitioner submitted that general and



omnibus allegation has been made against the petitioner. No specific allegation of firing is alleged against the petitioner. There is case and counter-case between the parties. Learned counsel further submitted that post-mortem report does not support the case of the prosecution. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.01.2024 and has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that the allegation against the petitioner is serious in nature. The post-mortem report also supports that case of the prosecution case as two bullet injuries have been found. The petitioner is named in the FIR and there is specific allegation against him of being involved in the commission of murder of the deceased. Learned APP further submitted that the prayer for grant of bail to the similarly situated co-accused person has already been rejected by this Court vide order dated 28.10.2024 passed in Cr. Misc. No. 55962 of 2024. Learned APP, therefore, prays that he may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case also taking into account the nature and gravity of offence, this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer for grant of bail to the
petitioner is rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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