

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39118 of 2015

Arising Out of PS.Case No. -48 Year- 2015 Thana -SISWAN District- SIWAN

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1. Durgesh Yadav Son of Triloki Yadav,
2. Janardan Yadav, Son of Parikshan Yadav, Both resident of village -
Nonyapatti, P.S. - Siswan, District - Siwan.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Siddharth Harsh, Advocate.

For the Opposite Party : Mr. Nirmal Kumar Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 31-08-2015 Heard both sides.

The petitioners seek bail in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code.

The informant alleged that on account of some verbal altercation Krishna Yadav, Dinesh Yadav, Durgesh Yadav (petitioner no.1), Janardan Yadav (petitioner no. 2) and Sheobachan Yadav having armed with firearms surrounded the nephew of the informant. Dinesh Yadav caught collar of Pappu Yadav and Krishna Yadav stabbed Pappu Yadav. There was profuse bleeding and Pappu Yadav died during the course of treatment. There is no allegation of assault or any overt act against the petitioner.

Learned counsel for the informant as well as the learned APP opposed the prayer for bail and submitted that Section 34 of the Indian Penal Code is there and charge sheet has already been submitted against the petitioners.

Having taken into consideration that no overt act is alleged against the petitioners, they above named are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Siwan in Siswan P.S. Case No. 48 of 2015.

(Prabhat Kumar Jha, J.)

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