

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45603 of 2014

Arising Out of PS.Case No. -213 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Kari Yadav Son of Sri Kajo Yadav R/o Village Dumri, P.S. Mufassil
(Singhaul), District Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.45922 of 2014

Arising Out of PS.Case No. -213 Year- 2014 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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1. Janardan Singh S/o Late Shivnandan Singh resident of Village Dumri,
P.S. Muffasil (Singhaul O.P.) District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.45603 of 2014)

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Arbind Kr.Pandey(App)

(In Cr.Misc. No.45922 of 2014)

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 04-03-2015 Heard learned counsel for the petitioners, learned

A.P.P. for the State as well as learned counsel appearing on behalf

of the informant.

Since both the applications arise out of the same

Mufassil (Singhaul O.P.) P.S. Case No. 213 of 2014, they have

been heard together and are being disposed of by this common order.

The petitioners seek regular bail in a case under sections 302/34 of the Indian Penal Code and section 27 of the Arms Act.

It is alleged that the informant, his sons Binod Singh, Subodh Singh and grand son Bindeshwar Singh went to the mango orchard. It is alleged that on the order of Janardan Singh, Rajnish Singh, Rajesh Singh and Rakesh Singh made firing. Then Subodh Singh, son of the informant started fleeing away. Kari Yadav, petitioner of Criminal Misc. No. 45603 of 2014 is alleged to have surrounded Subodh Singh from the front on which Rajnish Singh fired on the temple of Subodh Singh. Thereafter Rajesh Singh and Rakesh Singh made firing on the head of Subodh Singh as a result of which Subodh Singh died on the spot.

It is submitted by the learned counsel for the petitioners that petitioner Janardan Singh is only an order giver and Kari Yadav is alleged to have put hindrance to Subodh Singh in fleeing away from the Orchard but Kari Yadav was not armed with any weapon. His land is situated adjacent to the orchard.

Sri Akhileshwar Prasad Singh, appearing for the informant has, however, vehemently opposed the prayer but submitted

that of course there is no allegation of firing against petitioner Kari Yadav and Janardan Singh is an order giver.

Having Considered the fact that petitioner Janardan Singh is an order giver and petitioner Kari Yadav is said to have obstructed Subodh Singh from fleeing away from the place of occurrence and that they are in jail since 12.07.2014 and 09.06.2014 respectively, the above named petitioners 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 Chief Judicial Magistrate, Begusarai in connection with Begusarai Mufassil (Singhaul O.P.) P.S. case No.213 of 2014.

(Prabhat Kumar Jha, J)

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