

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39956 of 2014

Arising Out of PS.Case No. -48 Year- 2005 Thana -SHAMBHUGANJ District- BANKA

- =====
1. Suddin Yadav @ Sudin Yadav, Son of Late Yogeshwar Yadav
 2. Raju Yadav
 3. Prakash Yadav.

Both sons of Sri Suddin Yadav.

All residents of Village-Asauta (Nagel), P.S.-Shambhuganj in the District-Banka. Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Akhileshwar Prasad Singh, Advocate
Ms. Anita Kumari Singh, Advocate

For the Opposite Party/s : Mr. Atul Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 28-01-2015

The petitioners are permitted to make necessary corrections in para 1 and prayer portion of the petition.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in connection with Shambhuganj P.S. Case No. 48 of 2005 registered for the offences punishable under Sections 302 read with 34 of the Indian Penal Code and 27 of the Arms Act.

It has been contended that though the petitioners were named in the FIR but on conclusion of investigation the police found accusation against the petitioners to be false. They were not sent up for trial. However, some other accused persons

were charge sheeted in the case. The learned Magistrate, before whom the police report was laid, differed with the police report and took cognizance of the offence against the petitioners too.

It has been contended that there is no material to connect the petitioners with the alleged offence. The case has already been committed to the Court of Sessions and charges have already been framed in the case on 5.12.2014.

Learned counsel for the State has opposed the prayer for bail.

Having regard to the facts and circumstances of the case, the petitioners above named are directed to be released 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 3rd Additional Sessions Judge, Banka in Sessions Trial No. 828 of 2014 arising out of Shambhuganj P.S. Case No. 48 of 2005.

(Ashwani Kumar Singh, J.)

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