

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41317 of 2015

Arising Out of PS.Case No. -158 Year- 2014 Thana -WAJIRGANJ District- GAYA

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1. Satyendra Yadav @ Satyendra Prasad Yadav, son of Late Chano Yadav
 2. Pappu Yadav, Son of Chhatar Yadav,
 3. Ajit Yadav @ Ajit Kumar, Son of Gauri Yadav
 4. Ashok Yadav, son of Indradeo Yadav All residents of village- Mataso, Tola Kharhara, Police Station- Fatehpur in the district of Gaya

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Indu Kri.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-10-2015 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The petitioners seek bail in a case registered for
the offences punishable under sections 147, 148, 149 and 302 of
the Indian Penal Code.

It is alleged that while informant Jai Ram Yadav
along with Devendra Yadav and others were going on motor
cycle, the petitioners along with eight other accused persons
armed with weapons blocked the road and on the order of
petitioner no. 1 Satyendra Yadav, Madan Yadav caught Devendra
Yadav and thereafter petitioner no. 1 gave blow by three nut on
the head of Devendra Yadav as a result of which he fell down on

the ground and thereafter all the accused persons assaulted Devendra Yadav with lathi and iron pipe as a result of which Devendra Yadav died.

It has been submitted on behalf of the petitioner that petitioner nos. 1,2 and 3 are in custody since 28.04.2015 and petitioner no. 4 is in custody since 02.05.2015. Charge-sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioners. It has been submitted that there is no specific allegation against the petitioners. Petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against them. No specific injury has been attributed against the petitioners. Other co-accused persons have been granted bail vide Criminal Misc. No. 33106 of 2014.

On behalf of the State and learned counsel for the informant it has been submitted that there is specific allegation against petitioner no. 1 and other petitioners are also named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant bail to petitioner no. 1 Satyendra Yadav @ Satyendra Prasad Yadav. His prayer for bail is, accordingly, rejected.

So far as petitioner nos. 2, 3 and 4 above named are concerned, they 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 Chief Judicial Magistrate, Gaya in connection with Wazirganj (Tankupa O.P.) P.S. Case No. 158 of 2014.

(Sudhir Singh, J)

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