

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22611 of 2015

Arising Out of PS.Case No. -67 Year- 2011 Thana -SRINAGAR District-
WESTCHAMPARAN(BETTIAH)

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1. Saheb Yadav s/o Budhi Yadav
2. Dhrub Yadav s/o Bhagwat Yadav
3. Sharda Chaudhary s/o late Sukhadeo Chaudhary All r/o vill Shrinagar,
P.S. Shrinagar, Dist W.Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Kalyan Shankar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-09-2015 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in a case
instituted under Sections 302/34 of the Indian Penal Code.

It is alleged by the informant, Sunita Devi, that on
28.12.2011 she was irrigating her Masur crops and her husband
Fulena Bin was assisting her. In the meantime accused persons
named in the FIR including the petitioners came there and
surrounded her husband and co-accused Amar Yadav and
Rajnandan Yadav opened fire due to which her husband died at
the spot. Thereafter co-accused Amar Yadav took out Rs. 3 lacs
from the pocket of her husband and Rajnandan Yadav snatched his
gold chain and petitioner Dhrub took away his gold ring.

It has been submitted on behalf of the petitioners that the petitioners have been falsely implicated in the present case. The main allegation is against Rajnandan Yadav and Amar Yadav, who caused injury upon the deceased. There is no specific injury attributed against the petitioners. General and Omnibus allegation has been made. The reason for falsely implication of the petitioners is the land dispute between the parties.

It has been submitted on behalf of the State that the petitioners are named in the FIR.

Considering the aforesaid facts, let the above named petitioners, in the event of their arrest or surrender in the court below within a period of four weeks, 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 learned C.J.M., Bettiah, West Champaran in connection with Shrinagar (Pujaha) P.S. Case No. 67 of 2011, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Sudhir Singh, J)

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