

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40604 of 2014

Arising Out of PS.Case No. -140 Year- 2014 Thana -PURNEA SADAR District- PURNIA

Bhawesh Yadav @ Bhawesh Kumar Yadav S/o Ashok Yadav resident of
village- Satvaily Chandpur, P.S.- Falka (Pothiya), District- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.41909 of 2014

Arising Out of PS.Case No. -140 Year- 2014 Thana -PURNEA SADAR District- PURNIA

Manoj Yadav Son of Late Lakhan Yadav R/o Village Kishanpur, P.S.
Ranipatra, District Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 10-02-2015 Both these applications arise out of Purnea Sadar

(Muffasil) P. S. Case no. 140 of 2014, as such, they have

been heard together and are being disposed of by this

common order.

Heard the learned counsel for the petitioners and

the learned A.P.P. for the State.

The petitioners seek bail in a case for the offence

punishable under Sections 147, 148, 149, 341, 323, 307,

302, and 379 of the Indian Penal Code and under Section

27 of the Arms Act.

It is submitted that the petitioners have not been named in the F.I.R. During investigation the names of the petitioners have appeared and they confessed their guilt before the police that they had accompanied Mithun Kumar. There is no allegation of overt act against the petitioners. The main assailant is Mithun Kumar who shot fire which caused fatal injury to the deceased. The petitioners have no criminal antecedent.

Learned counsel for the State submits that on the confessional statement of Bhawesh Kumar the country made pistol has been recovered from the bush.

Considering the facts and circumstances of this case, the above-named petitioners 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, Purnea, in Sessions Trial no. 845 of 2014 arising out of Purnea Sadar (Muffasil) P. S. Case no. 140 of 2014 **after framing of charge** with the following conditions :

1. One of the bailors will be the close relative

of the petitioners.

2. The petitioners will not indulge in similar or in any other offence.

3. The petitioners will be well represented in the court.

4. In case of absence for two consecutive dates or in violation of the terms of the bail, their bail bonds will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

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