

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51518 of 2015

Arising Out of PS.Case No. -80 Year- 2015 Thana -SAHEBPUR KAMAL District- BEGUSARAI

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1. Dasharath Yadav S/o Late Nandelal Yadav
 2. Jehal Yadav S/o Rudal Yadav
 3. Kailash Yadav S/o Sakhichand Yadav
 4. Shankar Yadav S/o Late Balak Yadav All are resident of village - Shreenagar, P.S. Sahebpur Kamal, Distt. - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar

For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

10.12.2015

Heard learned counsel for the petitioners and learned

AP.P. for the State.

The petitioners apprehend their arrest in connection with Sahebpur Kamal P.S.Case No. 80/2015 registered for offences punishable under Sections 147, 148, 149, 307, 427 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the F.I.R. named petitioners and other F. I. R. named accused persons opened fire indiscriminately with intention to kill, as a result of which a 18 months she-calf of informant become injured. All the family members of informant concealed themselves in house and saw that on instigation of Dasrath Yadav, Dharmendra Yadav shot dead the she-calf from his rifle. The cause of occurrence is land dispute.

It has been submitted by the learned counsel for the petitioners that the specific allegation is against other co-accused,

who had opened fire on the she-calf. There is no specific allegation against the petitioners, nor any person has sustained injured. It has also been submitted that the cause of the occurrence is due to land dispute, which is also alleged in the F.I.R.

Furthermore, it has been submitted that all the petitioners have clean antecedents, which finds place at para-8 of the petition.

Be that as it may, let the above named petitioners in the event of their arrest or surrender before the Court below within a period of six weeks from today be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of Shri Deo Priya, learned Judicial Magistrate, 1st Class, Begusarai in connection with Sahebpur Kamal P.S.Case No. 80/2015, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Nilu Agrawal, J)

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