

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25781 of 2016

Arising Out of PS.Case No. -169 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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1. Shakaldeo Yadav @ Sakaldeo Yadav S/o late Ram Sundar Yadav
Resident of Village- Tuniahi, PS +District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.25788 of 2016

Arising Out of PS.Case No. -169 Year- 2016 Thana -MADHEPURA District- MADHEPURA

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1. Bijendra Yadav S/o late Ram Sundar Yadav Resident of Village-
Tuniyahi, PS+District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioners

(in both cases)

: Mr. Mithilesh Kumar Singh

For the State

: Mr. Anil Kumar Singh 1(App)

For the Informant

: Mr. Pankaj Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 18-08-2016

Heard learned counsel for the petitioners and the State.

The petitioners are in custody in a case registered under
Sections 302, 323, 341, 147, 148 and 149 of the Indian Penal
Code and Section 27 of Arms Act.

It has been alleged in the FIR by the informant Chandan
Kumar Yadav that on 29.03.2016 he had been bailed out by the



court in a case and after release from jail the informant and Ravindra Yadav were going to village Tuniyahi and Bijendra Yadav, Amarendra Yadav and Niraj Kumar were also going along with the informant to see off the informant. It has further been alleged that as soon as the informant and his companions reached near the house of Sakaldeo Yadav then the petitioner along with six co-accused persons and other unknown persons being armed with weapons were present there from before and on seeing the informant and his companions the petitioner Sakaldeo Yadav ordered to kill all of them, upon which all accused persons started abusing and assaulting and in the meantime co-accused persons namely Mirtunjay Yadav and Manoj Yadav started firing shots upon informant and his companions with three nuts and the pellet fired by co-accused Mirtunjay Yadav hit in the chest of the informant, his maternal uncle Bijendra Yadav and he fell down there and due to profuse bleeding he died at the spot.

It is submitted on behalf of the petitioners that petitioner- Shakaldeo Yadav @ Sakaldeo Yadav is in custody since 30.03.2016 and petitioner – Bijendra Yadav is in custody since 05.04.2016. Charge sheet has been submitted in this case. There is no allegation of tampering with the evidence against the petitioners. Petitioner- Shakaldeo Yadav @ Sakaldeo Yadav is

said to be an order giver and petitioner – Bijendra Yadav is said to be the member of unlawful assembly. The main allegation is against Mrityunjay Yadav and Manoj Yadav.

On behalf of the State, it is submitted that the petitioners are named in the FIR.

Considering the aforesaid facts and circumstances of the case, let, above named petitioners, 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., Madhepura in connection with Madhepura P.S.Case No. 169 of 2016.

(Sudhir Singh, J)

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