

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19368 of 2016

Arising Out of PS.Case No. -469 Year- 2015 Thana -MADHEPURA District- MADHEPURA

- =====
1. Vijay Kumar Yadav @ Vijay Kumar, son of Dharamlal Yadav.
 2. Sanjay Kumar @ Babloo Yadav, son of Dharamlal Yadav. Both are residents of village- Turkahi, Navtolia, P.S.- Madhepura (Bharrahi O.P.), District- Madhepura

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Kumar Dhirendra Pratap Singh,
Advocate.

For the Opposite Party : Mr. Ashok Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

6 07-09-2016 Heard learned counsels for the petitioners, informant
and learned counsel for the State.

The petitioners are languishing in custody since 04.01.2016 and 14.01.2016 respectively in connection with Madhepura (Bharrahi) P.S. Case No. 469 of 2015 for the offences instituted under Sections 302/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 15.08.2015, the informant's son, namely, Madhuranjan(deceased) went to his sister's house and stayed there as his brother-in-law(Subhash Kumar) was suffering from fever. On 16.08.2015, when he was



taking bath at the tube well of Darwaja, 16-17 persons being armed with weapons surrounded him and started to indiscriminately fire, as a result of which, he fell on the earth and died. Accused Laxman Yadav also fired on the body of the deceased. On information, the police arrived and arrested some persons.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 04.01.2016 and 14.01.2016 respectively and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioners. Altogether 11 persons are named in the FIR. Petitioners are also among them. General and omnibus allegation has been made against the petitioners. The petitioner no. 1 is said to have sustained injury in course of occurrence. It is a case and counter case. The injury on the part of petitioner no. 1 has not been explained by the prosecution.

On behalf of the learned counsels for the informant and the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, 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 C.J.M.,
Madhepura, in connection with Madhepura (Bharrahi) P.S. Case
No. 469 of 2015.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

