

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18489 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -KASIMBAZAR District- MUNGER

1. Yogendra Yadav
2. Damodar Yadav Sons of Late Shiv Charan Yadav
Both are resident of village - Sandalpur, P.S. Kasimbazar, District - Munger

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Abhay Kr. Roy, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 28-06-2016 Heard the learned counsel for the petitioners and the learned A.P.P. representing the State.

The petitioners seek bail in connection with Kasim Bazar P.S. Case No. 30 of 2016 registered for the offences punishable under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the petitioners and other F.I.R. named accused persons opened fire to kill the informant and his son but they were luckily saved. From earlier, title suit is going on between the parties and for the murder of the son of the petitioner No. 1, Yogendra Yadav, the informant and others have been falsely implicated.

Submission is of false implication and that no injury has been caused to any one, admittedly, there is land dispute between the parties, the prosecution story appears not reliable and probable and without any fault in this false case the petitioners are suffering in custody since 10.03.2016.

The learned A.P.P. fairly submits that no injury was caused to any one.

In the facts and circumstances stated above, the petitioners, above named, are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger, in connection with Kasim Bazar P.S. Case No. 30 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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