

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50765 of 2015

Arising Out of PS.Case No. -40 Year- 2015 Thana -CHANDI District- NALANDA
(BIHARSHARIFF)

- =====
1. Bijendra Yadav, son of Late Shital Yadav.
 2. Bulkan Yadav, son of Chhote Yadav. Both resident of village Mehdi Bigha, Police Station- Chandi, District-Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Rita Verma(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 04-02-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners are accused in connection with Chandi P.S. Case No. 40 of 2015 registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that due to hot talk exchange on preceding date, petitioners and four others armed with Rifle and country made pistol entered in the house of the informant searching him. Sangita Devi, the sister of informant, present at the roof told that informant is not present in the house. Thereon, they abused to Sangita Devi. On protest, Manoj Yadav, shot fire at the chest of Sangita Devi, who died later on.

Learned counsel for the petitioners submits that while

petitioners are name in the F.I.R. along with six others but no overt act has been alleged against these petitioners as there is specific allegation against the co-accused, Manoj Yadav, to shot fire at the chest of the sister of the informant. Further submission is that petitioner no. 1 is accused in one other case but he is on bail in that case. Learned counsel for the petitioner further submits that co-accused, Maheshwar Yadav, has already been granted privilege of bail by this Court vide order dated 12.08.20015 passed in Criminal Misc. No. 23417 of 2015.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the 2nd Additional Sessions Judge, Hilsa, Nalanda, in connection with S. Tr. No. 324 of 2015 arising out of Chandi P.S. Case No. 40 of 2015. Out of two sureties, one surety must be the close relative of the petitioners.

(Rajendra Kumar Mishra, J)

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