

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10878 of 2016

Arising Out of PS.Case No. -211 Year- 2014 Thana -SALKHUA District- SAHARSA

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1. Pankaj Yadav @ Vijay Kumar Yadav, son of Sikandar Yadav, resident of village-Rasalpur, OP-Banma Itahari, P.S. Salkhua, District-Saharsa,
 2. Lal Kun Yadav, son of Kamleshwari Yadav,
 3. Santosh Kumar, son of Bramhadev Yadav,
 4. Amar Kumar @ Amar Yadav, son of Phulendra Yadav,
 5. Ajay Kumar @ Ajay Yadav, son of Kameshwar Yadav, all resident of village-Borba, P.S. Salkhua, OP-Banma Itahari, District-Saharsa &
 6. Pappu Yadav, son of Rajendra Yadav, resident of village-Situwaha, P.S. Salkhua, District-Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjeev Verma, Advocate

For the Opposite Party : Mr. Dr. Indihar Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-04-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Salkhua P.S. Case No. 211 of 2014 for the offences instituted under Sections 147, 148, 149 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, on 19.10.2014 the informant Md. Sajjad had gone to purchase cow and buffalo at the house of Fulo Yadav and he has engaged himself in preparing fodder of cattle then all of a sudden indiscriminate firing was started from the double stored building of Sikandar Sipahi and he received

pellet injury on his back, and became unconscious and after regaining consciousness he gave fardbeyan.

It has been submitted on behalf of the petitioners that the petitioners have falsely been implicated in the present case. Prior to the institution of the present case, one of the accused had instituted a case against the informant. The present case has been lodged in retaliation to the said case. Petitioners are not named in the FIR. The other co-accused has been granted anticipatory bail by this Court vide Cr.Misc.No.31838 of 2015.

On behalf of the State, it has been submitted that the petitioners are not named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Salkhua P.S. Case No. 211 of 2014 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 CJM, Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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