

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23743 of 2016

Arising out of PS.Case No. -32 Year- 2015 Thana -BAUNSI District- BANKA

1. Congress Yadav.
2. Hareram Yadav. Both sons of Late Prem Lal Yadav, resident of Village- Rangapathar, P.S. Kataria, District- Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Shree Niwas Singh, Advocate.
For the Opposite Party : Mr. Indu Bala Pandey App

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 05-08-2016 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are languishing in custody since 30.04.2015 and 08.04.2015 respectively in connection with Sessions Trial No. 217/2015, arising out of Baunsi P.S. Case No. 32 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 it was co-accused Umesh Yadav, who shot fire on the deceased and so far as petitioner is concerned, it is stated that he alongwith other FIR named accused caught hold of the deceased while he was going to his home.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 30.04.2015 and 08.04.2015 respectively and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses against the petitioners. They have got no criminal antecedent. The main allegation is against Umesh Yadav who is said to have fired upon the deceased. No injury is alleged to have been caused by the petitioners upon the deceased.

On behalf of 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 Additional Sessions Judge-IVth, Banka, in connection with Sessions Trial No. 217/2015, arising out of Baunsi P.S. Case No. 32/2015.

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(Sudhir Singh, J)