

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52876 of 2015

Arising Out of PS.Case No. -344 Year- 2015 Thana -TEKARI District- GAYA

Munna Kumar @ Munna Kumar Yadav son of Sakaldeo Yadav R/o Village - Bali, P.S. - Tekari, Distt. Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

With

Criminal Miscellaneous No.53447 of 2015

Arising Out of PS.Case No. -344 Year- 2015 Thana -TEKARI District- GAYA

Kallu Yadav @ Lal Babu Yadav, son of Raghunandan Yadav, Resident of Village- Bali, P.S.- Tekari, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.52876 of 2015)

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

(In Cr.Misc. No.53447 of 2015)

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : Mr. J.N. Thakur , APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 01-02-2016 These two cases arise out of a common FIR and hence, they have been heard together. The FIR has been

registered under Sections 147, 148, 149, 341, 342, 302, 120-B IPC and 27 of the Arms Act.

The informant claims himself to be an eye-witness to the occurrence and in his presence both his sons were allegedly killed by the accused persons named in the FIR including the petitioners of these cases.

It has been contended by Mr. Rajendra Naraian, learned senior counsel for the petitioner Munna Kumar @ Munna Kumar Yadav that the latter part of the allegations made in the fardbeyan of the informant would make it clear that the informant was not an eye-witness to the occurrence and he reached at the place of occurrence after his two sons were killed by unknown miscreants.

Mr. Shivendra Prasad, learned counsel for the petitioner Kallu Yadav @ Lal Babu Yadav has adopted the argument advanced by the learned senior counsel for the petitioner Munna Kumar @ Munna Kumar Yadav. In addition, he submits that during investigation, witnesses have not supported the allegations made in the FIR.

Be that as it may, regard having had to the gravity of the offence and the brutal manner in which two sons of the informant were killed as narrated in the FIR, I am not inclined to

grant bail to the petitioners.

Accordingly, their applications are hereby rejected.



(Ashwani Kumar Singh, J.)

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