

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44232 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -CHANDRADEEP District- JAMUI

1. Bablu Yadav son of Sodagar Yadav, Resident of Village- Bhaluana, P.S.-
Chandradeep, District- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.52183 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -CHANDRADEEP District- JAMUI

1. Janardan Yadav son of Dwarika Yadav, Resident of village- Tetariya,
P.S. Chandradeep, District- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.56553 of 2015

Arising Out of PS.Case No. -70 Year- 2014 Thana -CHANDRADEEP District- JAMUI

1. Rambilash Yadav son of Dwarika Yadav, resident of village- Tetariya,
P.S.- Chandradeep, District- Jamui

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.44232 of 2015)

For the Petitioner/s : Mr. Ram Sumiran Rai

For the Opposite Party/s : Mr. Prem Kumar Jha(App)

(In Cr.Misc. No.52183 of 2015)

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. B.M.P.Sinha (App)

(In Cr.Misc. No.56553 of 2015)

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Indra Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA
ORAL ORDER

03/ 05.01.2016

All the above stated petitions arise out of Chandradeep P.S. Case no. 70/2014 registered under sections 302,120B/34 of the Indian Penal Code, 27 of the Arms Act and accordingly, all the above stated petitions are being disposed of by this common order.

Heard learned counsel for the petitioners as well as learned Addl. Public Prosecutor for the State.

All petitioners are named in the first information report with allegation that they, having encircled the deceased, made indiscriminate firings causing death of the deceased and in that incident, one of their associates, too, sustained firearm injury who also died then and there.

Informant does not appear to be eye-witness because police reached on the place of occurrence at 10.55 a.m. and when police reached on the place of occurrence, informant was not present there.

Moreover, fardbeyan of the informant was recorded at 3 p.m. In course of investigation, some witnesses claimed to have seen the petitioners and other accused but it appears that almost all witnesses are relative of the deceased.

Learned counsel for the petitioners submits that, as a matter of fact, petitioner in Cr. Misc. no.56553/2015 had lodged Chandradeep P.S. Case no. 12/2011 against the deceased and others for causing death of two persons and in the aforesaid case, some of accused of the present case were made witnesses and that is the reason of false implication of the petitioners and other accused. It is further



contended by him that having more or less similar allegation co-accused Rama Nand Yadav @ Rama Nandan Yadav and Ram Balak Yadav have already been granted privilege of bail by coordinate benches of this court.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of Sri Lalan Kumar, Judicial Magistrate, Ist Class, Jamui/ concerned court in Chandradeep P.S. Case no. 70/2014.

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(Hemant Kumar Srivastava,J)

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