

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29036 of 2016

Arising Out of PS.Case No. -106 Year- 2015 Thana -SHAMBHUGANJ District- BANKA

1. Babban Yadav @ Baban Yadav,
2. Fantus Yadav @ Fontis Yadav, Both are Son of Hiyalal Yadav, Both are Resident of Village- Asouth (Nagel), P.S. Sambhuganj, District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sri Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 26-07-2016

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Shambhuganj P.S. Case no. 106 of 2015 registered under sections 147, 148, 149, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act pending in the court of the learned Sub-divisional Judicial Magistrate, Banka.

It is a case of double murder. Petitioners are named in the first information report. The allegation is that all the accused persons including the petitioners resorted to indiscriminate firing and the firing made by Sanjay Yadav and Shekhar Yadav hit one Suresh Yadav and the firing made by

Shekhar Yadav also hit one Shambhu Yadav as a result of which both Suresh Yadav and Shambhu Yadav died on the spot.

It is submitted by the learned counsel for the petitioners that the petitioners are not the assailants of the deceased and they have got no criminal antecedent.

Be that as it may, regard being had to the serious nature of allegation made in the first information report, I am not inclined to grant pre-arrest bail to the petitioners. This application is, accordingly, rejected.

(Ashwani Kumar Singh, J)

Amin/-

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