

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Miscellaneous No.46420 of 2015

Arising Out of PS.Case No. -207 Year- 2015 Thana -KHAGARIA District- KHAGARIA

1. Haribol Yadav, Son of Ram Yadav, Resident of village- Bari Kothiya, P.S.- Mufassil, District- Khagaria.  
2. Raushan Kumar, Son of Rajendra Yadav, Resident of village- Saidpur, P.S.- Mansi, District- Khagaria.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

with

Criminal Miscellaneous No.56371 of 2015

Arising Out of PS.Case No. -207 Year- 2015 Thana -KHAGARIA District- KHAGARIA

1. Subhash Yadav, Son of late Surat lal Yadav  
2. Ranvir Kumar, son of Late Bahadur Yadav, Both are Resident of village- Bari Kothiya, P.S.- Muffasil, District Khagaria.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

Appearance :

(In Cr.Misc. No.46420 of 2015)

For the Petitioner/s : Mr. Ashish Kumar

For the Opposite Party/s : Mr. Parmanand Prasad (App)

(In Cr.Misc. No.56371 of 2015)

For the Petitioner/s : Mr. Ashish Kumar

For the Opposite Party/s : Mr. Manish Kumar-II(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3      08-01-2016      Above noted both the applications have arisen out of one occurrence i.e. Khagaria Muffasil P.S. Case No. 207 of 2015 registered for the offences punishable under Section 307 and 353 of the Indian Penal Code and under Section 25(1-B) a, 26, 27/35

of the Arms Act as such they have been heard together and are being disposed of by this common order.

Allegedly, one loaded Musket and mobile has been recovered from possession of petitioner Haribol Yadav. Similarly, from possession of Raushan Kumar one country made pistol, eight live cartridges have been recovered. Similarly, from possession of Subhash Yadav one regular loaded rifle, four live cartridges, one mobile and from the possession of Ranvir Kumar one DBBL gun with two cartridges were recovered and they are in custody since 04.04.2015 and similarly situated co-accused, namely, Prem Kumar Gangadhar Yadav has been allowed bail vide order dated 18.09.2015 passed in Cr. Misc. No. 43031 of 2015 by another coordinate Bench of this Court. The petitioners Haribol and Raushan Kumar have got no criminal antecedent. The petitioner Subhash Yadav has got some cases, but he has either been acquitted or he is on bail and the petitioner Ranvir Kumar is also involved in some other cases, but he is on bail.

In the facts and circumstances stated above, the petitioners above named of both the applications are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned 3<sup>rd</sup> Additional Sessions Judge,

Khagaria in connection with Khagaria Muffasil P.S. Case No. 207 of 2015, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

**(Jitendra Mohan Sharma, J)**

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