

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15584 of 2016**

Arising Out of PS.Case No. -5 Year- 2015 Thana -MAHKAR District- GAYA

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1. Krishna Ballabh Yadav @ Krishna Walam Yadav Son of Bakhori Yadav,  
2. Surendra Yadav, S/o Late Ramphal Yadav,  
3. Chaman Yadav, S/o Late Mahabir Yadav, All residents of village Nadara, P.S. - Mahkar, District - Gaya.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Bamdeo Pandey, Advocate  
For the Opposite Party : Mr. T.N.Thakur, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      03-05-2016                      Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Mahkar P.S. Case No.05 of 2015 for the offences instituted under Sections 147, 148, 149, 324, 307 of the Indian Penal Code and Section 27(A) of the Arms Act.

The prosecution case, in brief, is that as per F.I.R., it is alleged that a foundation for construction of the house of the informant was going on his land, in the meantime, the accused/petitioners and other accused persons arrived there and asked the informant to stop the work. The accused Birendra Yadav fired at the informant upon which the informant sustained fire arm

injuries on his thigh.

It is submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. It is a case and counter case between the parties. Injury on the side of the petitioners has not been explained by the prosecution.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of arrest or surrender in the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand only) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya, in connection with Mahkar P.S. Case No.5 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

N.H./-

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