

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14876 of 2017

Arising Out of PS.Case No. -972 Year- 2016 Thana -BANKA District- BANKA

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1. Siru Yadav, Son of Late Daulat Yadav,
2. Thuma Devi @ Duma Devi, Wife of Siru Yadav.
3. Manju Devi, wife of Hublal Yadav, All are Resident of Village- Rampur, Upartola, P.S. + District- Banka.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sir Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 19-04-2017

Heard both sides.

The petitioners seek bail in Banka P.S. case No. 972 of 2016 under Section 302 and other Sections of the Indian Penal Code, under Section 27 of the Arms Act and under Section 3/4 of Explosive Substance Act.

Sunil Kumar Yadav, the informant, alleged that his grand father purchased 8 Katha land in the name of his eldest son, Siru Yadav, petitioner No.1. His grand father partitioned the land in three parts among three brothers of Siru Yadav, petitioner No.1. It is alleged that Siru Yadav did not want to give share to his two brothers and for that Renu Devi came and threatened the informant. The informant further alleged that petitioners along



with others formed unlawful assembly and came to his house. Marhar Raut threw bomb on his father Bishu Yadav and his father died instantly. Ganesh Yadav also threw bomb aiming at the informant but the informant saved himself.

The learned counsel for the petitioners submits that, of course, the petitioners are named in the FIR but no specific allegation is made against them. The petitioners are mere members of unlawful assembly. The petitioner No.2 is wife of petitioner No.1 and petitioner No.3 is daughter-in-law of the petitioner No.1.

Having considered the facts that no specific allegation of assault is made against the petitioners, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in Banka P.S. Case No. 972 of 2016.

(Prabhat Kumar Jha, J)

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