

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18778 of 2017

Arising Out of PS.Case No. -20 Year- 2017 Thana -BAKHRI District- BEGUSARAI

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1. Kari Yadav, Son of Ramdeo Yadav,
 2. Budhuwa Yadav @ Budho Yadav, Son of Ramdeo Yadav,
 3. Shiv Kumar Yadav, Son of Dhanik Yadav,
 4. Faudar Yadav, Son of Late Ram Ras Yadav,
 5. Chandra Sekhar Yadav, Son of Late Ram Ras Yadav,
 6. Ram Sevak Yadav, Son of Late Yaddu Yadav,
 7. Ram Chandra Yadav, Son of Ram Sevak Yadav, All residents of Village- Khakhurua, Sital Rampur, P.S.- Naokothi, District- Begusarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party/s : Mr. Ramchandra Sahani, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 26-04-2017 Heard both sides.

The petitioners, seven in numbers, seek bail in Bakhari P.S. Case No. 20 of 2017 registered under Section 307 and other sections of the Indian Penal Code and Section 27 of the Arms Act. Later on after the death of Daulat Sah, Section 302 of the Indian Penal Code was added.

Learned counsel for the petitioners submits that the petitioners are not the assailants of Daulat Sah. Jai Jai Yam Yadav is alleged to have assaulted Daulat Sah with pistol on his head and consequently Daulat Sah fell on the ground. Daulat Sah died after 12 days of the occurrence. Petitioner no.1 is alleged to



have fired, but nobody received fire arm injury. On account of assault made by Shiv Kumar Yadav (petitioner no.3), the informant Lal Muni Devi received injury on her neck and the injury is simple in nature. Dhanik Yadav and Faudar Yadav (petitioner no.4) are the order giver. Ranjan Yadav and Kari Yadav are said to have fired but nobody received fire arm injury. Krishna Yadav assaulted Dilip Sah. Ram Chandra Yadav (petitioner no.7) is alleged to have assaulted Ratan Sah. Ratan Sah also got simple injury. Ram Chandra Yadav also assaulted Bishnudeo Sah who also got simple injury. Wakil Yadav assaulted Ghuran Sah.

It is submitted that of course 8 persons from the side of the informant have been injured but the injuries caused by the petitioners are simple in nature. There is a counter version.

Learned counsel for the informant and learned APP opposed the prayer for bail.

Considering the facts aforesaid that there is a case and counter case and both sides entered into mutual assault. The petitioners are not the assailants of the deceased and the injury found on the persons are simple in nature, 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 Additional Chief
Judicial Magistrate-V, Begusarai in connection with Bakhari P.S.
Case No. 20 of 2017.

(Prabhat Kumar Jha, J)

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