

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27616 of 2017

Arising Out of PS.Case No. -57 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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1. Kailash Yadav.
2. Rambali Yadav.
Both Sons of Late Siro Yadav.
Both are Resident of Village- Belha Purbi, Ward No.1, P.S.- Sour
Bazar, District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 12-07-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners seek bail in connection with Sour Bazar
P.S. Case No.57 of 2017 registered under Sections 147, 148, 149, 341,
323, 324, 307, 302 and 506 of the Indian Penal Code.

The accusation is that on 24.01.2017 in the evening at
about 04.00 P.M., Vijaymal Kumar, the cousin of the informant, was
returning to his house from the market. When he reached in front of the
house of the informant, Babul Kumar asked him to stop the bicycle and
he stopped the bicycle. Thereafter, Babul Kumar started to abuse and
cause assault to Vijaymal Kumar through fists and slaps. When
Vijaymal Kumar raised hulla, Kailash Yadav (petitioner no.1) having



spade in his hand came there and caused injury at the head of Babuji Yadav. At that time, when Jagannath Yadav came to rescue, Kailash Yadav (petitioner no.1) ordered to Babul to kill Jagannath Yadav and, thereafter, Babul caused injury through spade at the head of Jagannath Yadav. At that time, Rambali Yadav (petitioner no.2) having lathi in his hand came there and started to cause assault. Dhirendra also assaulted to Jagannath Yadav through Farsa. Jagannath Yadav died on 07.02.2017 in course of treatment.

Learned counsel appearing on behalf of the petitioners submits that there is no specific allegation against the petitioners to cause injury to the deceased. The petitioners having no criminal antecedents are in custody since 10.02.2017 and 08.02.2017 respectively.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S. Case No.57 of 2017.

(Rajendra Kumar Mishra, J)

P.S./-

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