

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25161 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -BARACHATTI District- GAYA

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Geeta Devi, son of Rajendra Turi, at present Mukhiya, Bhalua Panchayat,
Resident of Village- Tetariya, P.S.- Barachatti, District- Gaya.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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with

Criminal Miscellaneous No.24518 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -BARACHATTI District- GAYA

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Binod Yadav, S/o Vifan Yadav, Resident of Village- Baijnathpur, P.S.-
Mohanpur, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

(In Cr.Misc. No.25161 of 2017)

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Babita Kumari
For the Opposite Party/s	:	Mr. Sri Bhanu Pratap Singh
For the Informant	:	Mr. Kumar Nikhil Mr. Gautam Kumar Mrs. Kriti Singh

(In Cr.Misc. No.24518 of 2017)

For the Petitioner/s	:	Mr. Krishna Pd. Singh, Sr. Adv. Mr. Bhaskar Shankar
For the Opposite Party/s	:	Mr. Sri Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

5 14-07-2017 Both the aforesaid applications arising out of

Barachatti P.S. Case No. 125 of 2017, registered under Sections

342, 302, 120-B/34 of Indian Penal Code and Section 27 of the

Arms Act. Therefore, both the aforesaid applications have been



heard together and are being disposed of by this common order.

The accusation is that Jagdish Yadav his brother Umesh yadav, Karu Turi, Krishna Turi, Ram Prasad Turi and Binod Yadav came at the door of the informant Richwa Devi armed with pistol and started to pull her husband Chhatrabali Turi. In spite of protest made by informant and his son, the husband of the informant was taken towards forest and he was shot dead causing fire arm injury at his belly, chest and neck. It is said many villagers seen the occurrence. Further allegation of informant is that the murder of her husband committed due to election and land dispute on the direction of Gita Devi, Mukhiya Bhalua Panchayat.

Learned counsel appearing on behalf of petitioner Gita Devi submits that only suspicion has been raised against the petitioner due to election rivalry, except suspicion nothing has been collected by the I.O of the present case. Learned counsel appearing on behalf of the petitioner Binod Yadav submits that, in fact, due to dispute in between the Jadish Yadav and husband of the informant, petitioners had gone to attend Panchayati at the time of occurrence, but both have been falsely implicated in this case, which has come in statement of witnesses of this case in paragraph 45, 46, 47, 58 etc. of the case diary. The petitioners are



in custody since 20.03.2017 and 05.03.2017, respectively.

On the other hand learned A.P.P. appearing on behalf of the State and learned counsel appearing on behalf of the informant opposed the prayer of the petitioner and submits that three gun shot injuries were found on the person of the deceased. The witnesses have also seen the petitioner Vinod Yadav in the company of other accused having gun in his hand.

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 Addl. Chief Judicial Magistrate, Sherghati in connection with Barachatti P.S. Case No. 125 of 2017.

(Rajendra Kumar Mishra, J)

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