

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32721 of 2017

Arising Out of P.S.Case No. -47 Year- 2017 Thana -MUNGER MUFFASIL District- MUNGER

Ashok Yadav Son of Ramchandra Yadav Resident of Village- Mathar, P.S.
- Muffasil, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.33242 of 2017

Arising Out of P.S.Case No. -47 Year- 2017 Thana -MUNGER MUFFASIL District- MUNGER

1. Guddu Kumar @ Guddu Yadav Son of Rajneeti Yadav
2. Prakash Yadav Son of Late Yadunandan Yadav Both resident of Village-Mathar P.S.-Muffasil, District-Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

with

Criminal Miscellaneous No.33944 of 2017

Arising Out of P.S.Case No. -47 Year- 2017 Thana -MUNGER MUFFASIL District- MUNGER

1. Pandav Yadav, son of Indrabali Yadav,
2. Manoj Yadav, son of Jai Prakash Yadav, both resident of village-Barkhandi Tola, Police Station-Muffasil, District-Khagaria &
3. Rajiv Kumar @ Rajiv Yadav, son of Jawahar Yadav, resident of village-Tikarampur Shritlal Tola, Police Station-Muffasil, District-Munger

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

(In Cr.Misc. No.32721 of 2017)

For the Petitioner : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party : Mr. Rajendra Singh Shastriji, APP

(In Cr.Misc. No.33242 of 2017)

For the Petitioners : Mr. Bharat Bhushan, Advocate

For the Opposite Party : Mr. Nand Kumar, APP

(In Cr.Misc. No.33944 of 2017)

For the Petitioners : Mr. Viveka Nandsingh, Advocate



For the Opposite Party : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 20-07-2017

Heard

2. Above noted three applications have arisen out of one occurrence, i.e., Munger Muffasil P.S.Case No.47 of 2017 registered for the offences punishable under Sections 147, 148, 149, 352, 353 and 307 of the IPC and Sections 25(1-b)A/26(i)/27 and 35 of the Arms Act.

3. It is submitted that all the petitioners have been falsely implicated. No specific allegation of assault has been made against any of the petitioners and hence the allegation under Section 307 of the IPC is not substantiated. Cognizance has been taken in connection with the offences alleged under the Arms Act. Similarly situated co-accused Girdhar Kumar, Ravish Kumar @ Ravish Kumar and Shiv Nanda Prasad Yadav @ Shiv Nandan Prasad Yadav have been granted bail by this Court in Cr.Misc.Nos.29345 of 2017, 31851 of 2017 and 27786 of 2017 respectively. The petitioner is in custody since 27.02.2017

4. Learned APP opposed the submissions.

5. In the facts and circumstances, prayer is allowed. Let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like



amount each to the satisfaction of SDJM, Munger in connection with Munger Muffasil P.S.Case No.47 of 2017, on the following conditions:-

- (i) That one of the bailors shall be a close relative of the petitioners.
- (ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- (iii) That the petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned court concerned.
- (iv) The petitioners shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Sanjay Kumar, J)

B.Kr./-

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