

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.41683 of 2017**

Arising Out of PS.Case No. -110 Year- 2017 Thana -BALIA District- BEGUSARAI

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1. Chandradeo Yadav, Son of Late Puran Yadav.
2. Sikandar Yadav @ Sikendar Yadav, Son of Biran Yadav.
3. Neti Yadav, Son of Biran Yadav, All resident of village- Kaswa Dira, P.S.- Balia, District- Begusarai.

.... .... Petitioner/s

Versus

The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Anuj Kumar, Adv.  
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      19-09-2017                      Heard the learned counsel for the petitioners learned  
counsel for the informant and the learned A.P.P. for the State.

Petitioners seek bail in connection with Ballia P.S. Case  
No. 110/2017, for the offences punishable under Sections 307, 302  
and other allied sections of the Indian Penal Code and section 27  
of the Arms Act.

The prosecution case as lodged by the informant is that  
while the petitioners along with two other co-accused were  
dehusking maize by thrasher, the informant objected on which  
petitioner no. 1 Chandradeo Yadav who is alleged to be the order  
giver, ordered to kill all the persons. Other accused person Sushil  
Yadav gave fire-arm injury to his aunt Gunjan Devi on her neck



which killed her instantly. Allegation upon petitioner no. 2 Sikandar Yadav is of assaulting Vipin Thakur by means of lathi and allegation upon petitioner no. 3 Neti Yadav is that he was member of the mob.

It has been submitted by the learned counsel for the petitioners that they are innocent, have no criminal antecedent and have been made accused because of being on inimical terms with the informant side. He submits that no overt act alleged to have been committed by the petitioner no. 1 and petitioner no. 3. Allegation on petitioner no. 2 is of hitting Vipin Thakur by means of lathi. He submits that one of the co-accused has been granted the privilege of bail by a Coordinate Bench of this court in Cr. Misc. 40520/2017 on 25.08.2017 and that the petitioners are languishing in judicial custody since 29.06.2017. He submits that section 302 and 307 is not made out against the petitioners.

However, learned counsel for the informant and the learned A.P.P. for the State oppose the prayer for bail stating therein that one of the co-accused assaulted the informant side resulting in death of aunt of the informant.

Be that as it may, let the petitioners named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten



thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Ballia P.S. Case No. 110/2017, subject to the condition that one of the bailors would be a close relative of the petitioners having sufficient immovable property within the jurisdiction of the concerned police station/court, who will file an affidavit stating his relationship with the petitioners and that the petitioners will appear before the police/court as and when required and failure to appear on two consecutive dates without assigning any reason will entail the cancellation of their bail bonds.

**(Nilu Agrawal, J)**

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