

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38042 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -MUFFASIL District- AURANGABAD

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1. Gopal Yadav
2. Nagendra Yadav
3. Naidu Yadav All Sons of Late Shiv Nandan Yadav, Resident of Village-
Bahuara, Police Station- Aurangabad (Muffasil), District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tej Narayan Singh

For the Opposite Party/s : Mr. Sri Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-09-2017 Heard the parties.

This application is for grant of regular bail in connection with Aurangabad (Muffasil) P.S.Case NO.11 of 2017 , registered for the offences punishable under Sections 302/120B of the Indian Penal Code and Section 25(1-B)/26/35 of the Arms Act.

Petitioners are named in the FIR and the case is under Section 302 of the IPC for causing death of the deceased in this case.

Submission of the learned counsel for the petitioners is that though they are named in the FIR but only on the basis of suspicion it is alleged that the petitioners had earlier threatened the informant and having similar allegation, one of the co-accused has been granted bail by this Hon'ble Court, vide order dated 18.7.2017 passed in Cr. Misc. No.27116 of 2017.



Heard learned A.P.P. also, who has opposed the prayer for bail stating that apart from threatening, there is also one motive against the petitioner no.1 as he had taken Rs.3,00,000/- from the informant prior to occurrence and when the informant was demanding the same, he was threatened by all the accused persons.

Having heard both sides and in view of the facts and circumstances, as stated above, so far petitioner no.2 (Nagendra Yadav) and the petitioner no.3 (Naidu Yadav) are concerned, they may be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad in connection with Aurangabad (Muffasil) P.S.Case No.11 of 2017 dated 24.1.2017.

So far petitioner no.1 (Gopal Yadav) is concerned, his prayer for bail is rejected and he may renew his prayer for bail, once the charge is framed against the accused persons of this case.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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