

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.882 of 2017

Arising Out of PS.Case No. -106 Year- 2015 Thana -SHAMBHUGANJ District- BANKA

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1. Babban Yadav @ Baban Yadav, son of Hiya Lal Yadav
2. Phantus Yadav @ Fontis Yadav, son of Hiyalal Yadav
Both are resident of village Asouta (Nagel), P.S. Sambhuganj, Distt. Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Jha, Advocate.

For the Opposite Party : Mr. Ram Sumiran Roy, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 12-01-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek bail in a case instituted for the offence under Sections 147, 148, 149, 307, 302 of the Indian Penal Code and Section 27 of the Arms Act.

Both the petitioners are named in the written report, but there is no allegation of specific overt act against the petitioner. The specific allegation of overt act of making firing is against Siya Ram Yadav and Shekhar Yadav on account of which the father-in-law of the informant died whereas the Dewar of the informant sustained firearm injury.

It has been submitted that co-accused Praduman Yadav and Guddu Yadav with similar allegations, have been granted



bail by a co-ordinate Bench of this Court vide order dated 7.4.2016 passed in Cr. Misc. No. 14359 of 2016.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Banka, in connection with Sambhuganj P.S. Case No. 106 of 2015, subject to the condition that both the bailors will be the close relatives of the petitioners.

(Sanjay Priya, J)

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