

IN THE HIGH COURT OF JUDICATURE AT PATNA  
Criminal Appeal (SJ) No.1343 of 2016

Arising Out of PS.Case No. -36 Year- 2016 Thana -DUMARIA District- GAYA

- =====
1. ASHOK YADAV SON OF LAL MOHAN YADAV
  2. RAM KRISHAN YADAV @ RAMKESH YADAV SON OF DEVKI YADAV
  3. BINOD THATHERA @ BINOD SAO SON OF LAXMAN THATHERA
  4. RAM SUNDER YADAV SON OF DUKHI YADAV
  5. RAM CHANDRA YADAV SON OF RAMDHIN YADAV
- ALL RESIDENT OF VILLAGE-KOCHAR, POLICE STATION-DUMARIYA, DISTRICT-GAYA.

.... APPELLANT/S

VERSUS

THE STATE OF BIHAR

.... RESPONDENT/S

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with

Criminal Appeal (SJ) No.40 of 2017

Arising Out of PS.Case No. -36 Year- 2016 Thana -DUMARIA District- GAYA

- =====
1. VINOD YADAV, SON OF RAGHUNANDAN YADAV.
  2. SOBHAN YADAV, SON OF RAMNANDAN YADAV.
- BOTH RESIDENT F VILLAGE - HURMETH, POLICE STATION - DUMARIYA, DISTRICT - GAYA

.... APPELLANT/S

Versus

THE STATE OF BIHAR

.... RESPONDENT/S

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**Appearance:**

(In CR. APP (SJ) No.1343 of 2016)

|                     |   |                          |
|---------------------|---|--------------------------|
| For the Appellant/s | : | Mr. P.K. Sahi, Sr. Adv.  |
|                     |   | Mr. Ranvijay Singh, Adv. |
| For the State       | : | Mr. Sri Sadanand Paswan  |

(In CR. APP (SJ) No.40 of 2017)

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|----------------------|---|--------------------------|
| For the Appellant/s  | : | Mr. P.K. Sahi, Sr. Adv.  |
|                      |   | Mr. Ranvijay Singh, Adv. |
| For the Respondent/s | : | Mr. Binay Krishna        |

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**CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI**  
ORAL ORDER

4.     **07-04-2017**                               Heard learned counsel for the appellants as well as learned Special Public Prosecutor.

Appellants, Ashok Yadav , Ram Krishan Yadav @ Ramkesh Yadav, Binod Thathera @ Binod Sao, Ram Sunder Yadav, Ram Chandra Yadav happen to be appellants of Criminal Appeal (SJ)



No.1343 of 2016 while Vinod Yadav, Sobhan Yadav happens to be the appellants of Criminal Appeal (SJ) No.40 of 2017 and as both originate from Dumariya P.S. Case No.36/2016, have been heard together and are being disposed of by a common order.

During course of election procession led by informant, Maya Rani who was one of the Mukhiya candidate, it has been alleged that Sarekha, Vinod, Dinesh and Sophan along with others intercepted them and further Sarekha and Vinod shot dead husband of informant Maya Rani, namely, Ravi Rakesh @ Sudesh Paswan while her *dewar* Sunil was shot dead by Dinesh Yadav and Sohan Yadav.

The learned Special P.P. who was entrusted to go through the case diary yesterday has submitted that none of the appellants of Criminal Appeal (SJ) No.1343 of 2016 happens to be assailant of any of the deceased.

That being so, setting aside the order dated 17.09.2016 passed by Special Judge, Exclusive Special Court, SC/ST in Dumariya P.S. Case No.36/2016, SC/ST Trial No.201/2016 appellants **Ashok Yadav, Ram Krishan Yadav @ Ramkesh Yadav, Binod Thathera @ Binod Sao, Ram Sunder Yadav, Ram Chandra Yadav** respectively are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each, to the satisfaction of learned Special Judge, Exclusive Special Court, SC/ST in connection with Dumariya P.S. Case No.36/2016, SC/ST Trial No.201/2016. Consequent thereupon, Criminal Appeal (SJ) No.1343 of 2016 is allowed.



So far appellants Vinod Yadav, Sobhan Yadav of Criminal Appeal (SJ) No.40 of 2017 is concerned, they are the assailant of **Ravi Rakesh @ Sudesh Yadav** as well as **Sunil Paswan** respectively whereupon their prayer for bail is rejected. As such Criminal Appeal (SJ) No.40 of 2017 is dismissed.

**(Aditya Kumar Trivedi, J.)**

Prakash Narayan

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