

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28025 of 2017

Arising Out of PS.Case No. -19 Year- 2017 Thana -VIJAYPUR District- GOPALGANJ

- =====
1. Pawan Yadav, Son of Om Prakash Yadav.
 2. Chhote Lal Yadav, Son of Jhawar Yadav @ Jhapas Yadav. Both Resident of Village- Amawa Dubey, P.S.- Vijaipur, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Yogendra Prasad Sinha, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners are apprehending their arrest in connection with Vijaipur P.S. Case No. 19/2017 for the offences instituted under Sections 341, 323, 307, 504, 506/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 04.02.2017 at about 8.00 P.M., the informant was sitting at his door, in the meantime, four persons, namely, Pawan Yadav, Harindra



Prajapati, Chhotelal Yadv and one unknown person came by two motorcycles and seeing the informant, accused Harindra Prajapati and unknown person ordered to kill the informant then Pawan Yadav fired with country made pistol with intention to kill the informant but he saved anyhow. On hearing the sound of fire, Villagers came there then all the accused persons fled away. The cause of occurrence is due to previous dispute with the petitioner Pawan Yadav and Pawan Yadav threatened to kill him.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. None is said to have been injured in course of occurrence. There is land dispute between the parties also.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Vijaipur P.S. Case No. 19/2017 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction



of the learned 4th Addl. Chief Judicial Magistrate, Gopalganj,
subject to the conditions as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Sudhir Singh, J)

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