

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11686 of 2017

Arising Out of PS.Case No. -357 Year- 2016 Thana -AMARPUR District- BANKA

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1. Subodh Yadav, S/o Kapil Yadav, Resident of Village-Logain,
2. Fuska Yadav S/o Opi Yadav, R/o Village-Baja,
3. Amit Yadav, S/o Fuska Yadav, R/o Village-Baja, All Police Station-
Amarpur (Fullidumar) District-Banka.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party : Mr. Ram Naresh Ray, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-03-2017 Heard both sides.

The petitioners seek bail in Amarpur (Fullidumar) P.S. Case No. 357 of 2016, registered for the offences punishable under Section 302 and other Sections of the Indian Penal Code and Section 27 of the Arms Act.

The informant Indu Devi named 27 persons in the FIR and alleged that they have armed with different weapons including firearms surrounded her father-in-law and also caught her. On the order of Dayanand Panjiyara, Anil Panjiyara fired at her father-in-law but her father-in-law started fleeing away. Anil Panjiyara fired which hit on his back and her father-in-law fell down on the ground. Dilip Panjiyara and Jagdambi Panjiyara fired on the temple and neck of her father-in-law and her father-in-law died on the spot. The accused persons fled away



after leaving the informant on the spot.

Learned counsel for the petitioners submits that the petitioners are, of course, named in the FIR but no specific allegation of assault is made against the petitioners. The petitioners are relatives of Dilip Panjiyara and Jagdambi Panjiyara with whom the deceased and his family members had land dispute.

Learned APP however opposed the prayer for bail of the petitioners.

Having considered the facts that the petitioners are, of course, named in the FIR but no specific allegation of assault is made against the petitioners and the allegation of firing is made only against Anil Panjiyara, Nawal Panjiyara, Dilip Panjiyara and Jagdambi Panjiyara who shot at back, temple and neck of the deceased, the petitioners above named are directed to 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 the Chief Judicial Magistrate, Banka in Amarpur (Fullidumar) P.S. Case No. 357 of 2016.

(Prabhat Kumar Jha, J.)

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