

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22245 of 2017

Arising Out of PS.Case No. -972 Year- 2016 Thana -BANKA District- BANKA

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1. Ram Chandra Das S/o Bhagwat Das resident of Amba, P.S. Banka, District - Banka.
 2. Rawan Das S/o Mahabir Das resident of Biswataur.
 3. Radhey Das S/o Late Bhuvan Das resident of Gohkara
 4. Mantu Das S/o Late Jago Das resident of Gohkara
 5. Naresh Das S/o Munni Das resident of Gohkara All are P.S. Banka, District - Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate.
For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 17-05-2017 Heard both sides.

The petitioners seek bail in Banka P.S. Case No. 972 of 2016 registered under Section 302 and other sections of the Indian Penal Code, Section 27 of the Arms Act and Sections 3 and 4 of the Explosive Substance Act.

Sunil Kumar Yadav (the informant) alleged that his grandfather purchased 8 kathas of land in the name of his eldest son Siru Yadav. The grandfather of the informant partitioned the land in his lifetime among his three sons. Siru Yadav does not want to give share in 8 kathas of land purchased in his name to his brothers. For that there is land dispute between the parties. Renu



Kumari threatened the informant and his family members but the informant asserted that he got share in the land. He further alleged that on the date of occurrence, Renu Kumari and others who were 15 in numbers came and tried to put red flag on the disputed land and when the informant and his family members made protest, the accused persons started pelting stones. It is further alleged that Master Rout threw bomb on the father of the informant Bishu Yadav and Bishu Yadav died. Ganesh Yadav is said to have also thrown bomb on the informant but the informant managed to save himself.

Learned counsel for the petitioners submits that there is no allegation against the petitioners, namely, Ram Chandra Das, Rawan Das, Radhey Das, Mantu Das and Naresh Das. Similarly situated co-accused persons Siru Yadav and two others have already been granted bail vide order dated 19.04.2017 passed in Cr. Misc. No. 14876 of 2017. Save and except Bishu Yadav, none of the family members of the informant got any injury. Master Raut is said to have thrown bomb on Bishu Yadav and Bishu Yadav died. Ganesh Yadav is alleged to have thrown bomb on the informant but the informant did not get any injury.

Considering the facts aforesaid and the fact that no specific allegation is made against the petitioners and the



petitioners are mere member of the mob and similarly situated co-accused, namely, Siru Yadav and two others have already granted bail, the above named petitioners 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 learned Chief Judicial Magistrate, Banka in connection with Banka P.S. Case No. 972 of 2016.

(Prabhat Kumar Jha, J)

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