

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39897 of 2017

Arising Out of PS.Case No. -187 Year- 2017 Thana -NARPATGANJ District- ARRARIA

- =====
1. Kalanand Yadav, Son of Late Bechu Yadav,
 2. Ashok Yadav S/o Kalanand Yadav, Both are Resident of Village-
Posdaha, P.S.-Narpatganj, Dist-Araria

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 17-10-2017 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners are languishing in judicial custody since
02.05.2017 in connection with Narpatganj P.S. Case No. 187 of
2017 for offences punishable under Sections 147, 149, 341, 323,
324, 307, 379, 504 and 506 of the Indian Penal Code and Section
27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that the petitioners along with 23 other accused persons came to
the house and started abusing and assaulting, as one person of the
petitioners' side was arrested earlier for trafficking illicit liquor on
the behest of informant. The allegation upon the petitioner no.



1 that he was the order-giver. The allegation upon the petitioner no. 2 is that he fired on the wife of the informant which hit her on the neck.

It has been submitted by the learned counsel for the petitioners that they are innocent and the present case is a counter blast of Narpatganj P.S. Case No. 188 of 2017 wherein the petitioners had also received severe injuries. He submits that the informant is a past Mukhiya of the said village and the informant's wife is the present Mukhiya and they had disclosed highhandedness, illegal and corrupt practice of the informant and his wife for which such false case has been lodged against them. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioners.

However, learned APP for the State opposes the prayer for bail stating therein that the informant's wife has received grievous injury as opined in the medical report and the petitioner no. 1 was the order-giver.

Considering the facts and circumstances and the period of custody, let petitioners, above named, be enlarged on bail on completion of six months in custody on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No.187 of 2017, subject to the condition that both bailors would be close relative of the petitioners having sufficient immovable property, who will file an affidavit stating their relationship with the petitioners and that if the petitioners indulge in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of their bail bonds.

(Nilu Agrawal, J)

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