

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28798 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -BALIA District- BEGUSARAI

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1. Arjun Yadav @ Arjun Jadav Son of Late Darshan Yadav
 2. Amardeep Yadav @ Amardeep Kumar Yadav @ Amritesh Kumar Yadav Son of Kapildeo Yadav
 3. Umesh Yadav Son of Arjun Yadav @ Arjun Jadav
 4. Chhotelal Yadav @ Chhotelal Prasad Yadav Son of Arjun Yadav @ Arjun Jadav
- All residents of Mohalla Husainichak, P.S. Ballia, District Begusarai.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

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

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioners and the learned APP appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Ballia P.S. Case No.97 of 2017 registered under Sections 147/148/149/323/326/385/120(B)/307/34 of the Indian Penal Code as well as Section 27 of the Arms Act.

Allegation against the petitioners is that due to land dispute, accused Ram Balak Yadav shot at Deepak Kumar causing firearm injury, Kapildeo Yadav also shot from his country made pistol causing on the right arm of the informant. Thereafter accused Ranvir Yadav also shot fire from his country made pistol causing bullet injury to one Ohari Yadav and later these petitioners also alleged to have opened fire but there is no allegation that anybody



was injured.

Learned counsel for the petitioners submits that the specific allegation is only against Ram Balak Yadav, Kapildeo Yadav and Ranvir Yadav opening fire and causing injury but these petitioners were falsely implicated as they are other family members and there is no other corresponding injury as alleged in the First Information Report. However, there is no allegation of opening fire against the petitioners and the injuries are found simple in nature and the petitioners have no criminal antecedent and one of the petitioners Arjun Yadav @ Arjun Jadav is an old man of 77 years of age.

Having considered the fact that there is no specific allegation against the petitioners, in the event of arrest/surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioners, named above, be released 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, Begusarai in connection with Ballia P.S. Case No.97 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Arun Kumar, J.)

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