

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45559 of 2017

Arising Out of PS.Case No. -223 Year- 2015 Thana -MAKHDUMPUR District- JEHANABAD

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1. Sukhdeo Yadav, Son of Late Chhathu Yadav,
 2. Bundel Yadav, Son of Sukhdeo Yadav.
 3. Vijay Yadav, Son of Late Ramdeo Yadav.
 4. Lalji Yadav, Son of Late Ramdeo Yadav.
 5. Ram Bhawan Yadav, Son of Late Sahdeo Yadav,
 6. Raju Yadav, Son of Lalji Yadav, All resident of Village- Ganga Sagar,
Police Station- Makhdumpur, District - Jehanabad.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vijay Kumar, Advocate.

For the Opposite Party : Mr. Anuj Kumar Srivastava, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-09-2017 Heard learned counsel for the petitioners learned
A.P.P. for the State

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 302/34, 120(B) of the
IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 25.07.2015,
the informant alongwith his wife was sleeping on the roof of his
house whereas her father Nandi Yadav was sleeping outside of the
door of his house and at about 2.00 A.M. he awake up on sound of
dog barking. He saw the petitioners besides co-accused persons



armed with pistol standing there and he raised alarm, whereupon on the order of co-accused Dharamveer Yadav, co-accused Birendra Yadav and Binod Yadav shot dead his father and they fled away by firing in the sky. His neighbours Suresh Yadav and Ranjan Yadav saw the occurrence. The informant and his wife got down from the roof and found his father dead.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioners are said to be members of unlawful assembly. No overt act has been alleged against the petitioners.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M. Jehanabad, in



connection with Makhdumpur (Tehta O.P.) P.S. Case No. 223/2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

