

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31036 of 2017

Arising Out of PS.Case No. -412 Year- 2016 Thana -LAKHISARAI District- LAKHISARAI

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1. Sohan Yadav @ Sosan Yadav, S/o Baleshwar Yadav
2. Bipin Yadav, S/o Bindi yadav
3. Dular Chandra Yadav @ Dular Chandra, S/o Jagdish Yadav
All resident of Kishanpur, Bhakra, P.S. & District- Lakhisarai.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Rajnish Chandra, Advocate
For the Opposite Party : Mr. Binod Kumar-2 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 19-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehends their arrest in connection with Lakhisarai P.S. Case No. 412 of 2016, registered for the offences punishable under Sections 302, 201, 120B/34 of the Indian Penal Code and Section 27 of Arms Act.

Allegedly, the dead body of Utam Kumar Yadav the brother of the informant was found in Bahiyar and there was sign of fire arm injury in the head and back. In the F.I.R. Rakat Yadav and Amit Yadav are named and during investigation the name of the petitioners also transpires in the statement of the witnesses namely Shanti Devi Anita Devi and Manju Devi.

Submission is of false implication and that the



petitioners are not named in the F.I.R. During investigation their names have come but witnesses who have named the petitioners have turned hostile during examination in Sessions Trial No. 49 of 2017 and, as such, petitioners deserve sympathetic consideration.

The learned A.P.P. fairly submits that witnesses who have stated the names of the petitioners, during trial have turned hostile.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Lakhisarai, in connection with Lakhisarai P.S. Case No. 412 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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