

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39562 of 2017

Arising Out of PS.Case No. -35 Year- 2015 Thana -CHAUSA District- MADHEPURA

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1. Jawahar Yadav son of Anant Yadav
2. Kare Yadav son of Anant Yadav, both residents of village-Phulpur, PS-
Chausa (Puraini), District-Madhepura. Petitioner/s
Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 21-08-2017 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in Chausa
P.S.Case No. 35 of 2015 registered for the offences punishable
under Sections 147, 148, 149, 307 of the Indian Penal Code and
Sections 25(1-B)A, 26, 27 of the Arms Act.

The informant being S.H.O. of Chausa Police Station
received information that cross firing is going on between two
groups in the background of land dispute and when the police
reached on the spot one country made masket loaded with
cartridge was seized and seizure list was prepared. The local
people disclosed the names of 24 FIR named accused persons
including the petitioners, who participated in the firing.

It is submitted by learned counsel for the petitioners that
accusation is omnibus and general and only on suspicion the



accusation has been levelled in the background of land dispute. None have received injury. Except petitioner No.1, who is accused in one other case apart from present one, the other petitioners have no criminal antecedent, statement to the aforesaid effect has been made in para-3 of the petition. The other co-accused having similar allegation have been allowed bail by a Co-ordinate Bench of this Court in cr. Misc. No. 4718 of 2016 and so the petitioner also deserves bail.

The learned A.P.P. also opposed the submission.

Considering the nature of accusation, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura in connection with Chausa P.S.Case No. 35 of 2015, subject to conditions as laid down under Section 438 (2) of the Indian Penal Code.

(Sanjay Kumar, J)

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