

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29808 of 2017

Arising Out of PS.Case No. -143 Year- 2016 Thana -BITHAN BAZAR District- SAMASTIPUR

- =====
1. Ganga Yadav @ Ganga Ram Kumar, Son of Umesh Yadav,
 2. Ram Dhyan Yadav, Son of Late Munni Lal Yadav,
 3. Ranjit Kumar Yadav @ Ranjit Yadav, Son of Sita Ram Yadav,
 4. Jangali Yadav, Son of Triveni Yadav,
 5. Santosh Yadav, Son of Late Munni Lal Yadav,
- All residents of village- Pusaho, P.S.- Bithan, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S.N.P. Sinha, Sr. Advocate.
Ms. Rashmi Bharti, Advocate.
For the Opposite Party/s : Dr. Rabindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Bithan P.S.

Case No. 44 of 2013 instituted for the offence under Sections 147,

148, 149, 302 of the Indian Penal Code and Section 27 of the

Arms Act.

Learned counsel for the petitioners has submitted that

there is allegation in the written report that accused persons made

indiscriminate firing on account of which sister-in-law (*Bhabhi*) of

the informant Anju Devi sustained injury in her right cheek and

she died on the spot.



The doctor has preserved several viscera and stated that the injury was caused by a sharp cutting weapon. The post mortem report is enclosed as Annexure-2 wherein the Doctor has stated that death is caused on account of shock and hemorrhage.

From the written report it appears that there is general and omnibus allegation against the petitioner and others who have made indiscriminate firing on the wife of the informant who died later on, but no gun shot injury has been found by the doctor on the person of the deceased in the post mortem report.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Bithan P.S. Case No. 143 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Rosera, Distt. Samastipur, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two



consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

S.Ali/-

(Sanjay Priya, J)

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