

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56455 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- MOKAMAH District- Patna

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1. Krishna Yadav, Son of Late Ram Yadav,
 2. Bhola Yadav, Son of Late Kishun Yadav,
 3. Mithun Yadav @ Mithun Kumar, Son of Bhola Yadav,
 4. Bipin Yadav @ Bipin Kumar, Son of Bhola Yadav, All resident of Village- Mor English Police Station- Mokama, Ward NO. 9, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Santosh Kumar Singh, Advocate
For the State	:	Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 302, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in short, is that on 15.03.2018 the accused persons including the petitioners threatened the nephew of the informant, namely, Gautam Kumar of dire consequences and on the order of the accused persons, co-accused Navin Kumar and Praveen Kumar fired which hit on the head of Gautam Kumar, as a result of which he succumbed to the injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The main allegation of firing upon the deceased is against co-accused Navin Kumar and Praveen Kumar. The petitioners are said to be the members of unlawful assembly. No specific overt act is alleged against the petitioners. No injury is attributed against the petitioners. The petitioners have been made accused due to previous enmity.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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) with two sureties of the like amount each to the satisfaction of learned Shri Manoj Kumar, Judicial Magistrate, 1st class, Barh, Patna in connection with Mokama P.S. case No.57 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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