

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53859 of 2018

Arising Out of PS. Case No.-186 Year-2018 Thana- PARBATT

District- Khagaria

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1. Rishideo Yadav, Son of Late Ramrup Yadav @ Labbu Yadav,
2. Rupesh Yadav, Son of Rishideo Yadav, Both resident of Village- Araiya, Police Station- Parbatta (Maraiya O.P.), District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Adv

For the Opposite Party/s : Mr. Sri Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 29-10-2018 The petitioners seek bail in anticipation of their arrest in connection with Parbatta (Maraiya O.P.) P.S. Case No. 186 of 2018 dated 26.05.2018 instituted for the offences under Sections 147, 148, 149, 302, 307, 447 of the Indian Penal Code and Section 27 of the Arms Act.

One Komal Kumari is said to have been accidentally hit by a stray bullet which was fired at one Abhishek Yadav. The informant has taken the name of five other persons and



has specifically stated in the F.I.R that while Abhishek Yadav was being chased by the miscreants, the shot fired by Rahul Kumar hit Komal Kumari who was sitting in the Verandah of her house.

The learned counsel for the petitioners has therefore submitted that there was no intention on behalf of anybody to fire at or kill Komal Kumari who was accidentally hit by a bullet.

During the course of investigation, it came to light that there was firing from both sides in an internecine gangwar.

However, since the petitioners are not named in the F.I.R and the cases which have been lodged against them prior to the institution of the present case are of minor nature, the petitioners, above named are directed to be released on bail in the event of their arrest or surrender before the learned Court below within a period of four weeks from today and on their furnishing bail bond of Rs. 10,000/- (ten thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial



Magistrate 1st, Khagaria in connection with Parbatta (Maraiya
O.P.) P.S. Case No. 186 of 2018, subject to the conditions
laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Ashutosh Kumar, J)

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