

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54933 of 2017

Arising Out of PS. Case No.-75 Year-2017 Thana- HULASGANJ District- Jehanabad

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1. Raj Kumar Yadav, son of Sri Lalji Yadav,
2. Bigan Yadav, son of Sri Prabhu Yadav
3. Ram Dayal Yadav, son of Late Baldeo Yadav,
All residents of Village- Niramani Math, P.S.- Hulasganj,
District- Jehanabad. Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Murari Prasad Sinha
For the Opposite Party/s : Mr. SMT. SHARDA KUMARI

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 12-01-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners apprehend their arrest in connection with Hulasganj P. S. Case No. 75 of 2017 registered for the offences punishable under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

In the first information report against the petitioners there is general and omnibus allegations to have assaulted the informant, his uncles Rajendra Yadav and Baleshwar Yadav and also to the father, mother and other uncles of the informant and further co-accused Bidyanand Yadav opened fire upon Niranjan Yadav causing injury to him.

Submission is of false implication and that there is no specific allegation against the petitioners, co-accused Bidyanand



Nand Yadav has already been allowed pre-arrest bail vide order dated 15.11.2017 passed in Cr. Misc. No. 54772 of 2017 by another co-ordinate Bench of this Court. The allegation under Section 379 IPC is super addition and as such the petitioners deserve sympathetic consideration.

Learned APP fairly submits that co-accused Bidyanand Yadav has been allowed pre-arrest bail.

In the facts and circumstances stated above, the petitioners above named, in case of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order, are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Hulasganj P. S. Case No. 75 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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