

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74243 of 2018

Arising Out of PS. Case No.-132 Year-2018 Thana- PHULPARAS District- Madhubani

1.Pramod Yadav @ Pramod Kumar Yadav s/o vishwanath Yadav,
2.Pintu Yadav, s/o Amrendra Yadav,
Both are resident of village-Siswa Barhi, P.S. Phulparas, District Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv
For the Opposite Party/s : Mr. Abhay Kumar Roy, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 14-12-2018

Heard learned counsel for the parties.

Petitioners seek bail in **Phulparas P.S. Case No. 132 of 2018** registered for the offence punishable under Sections 147, 148, 149, 323, 341, 504, 506, 307 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that after making purchase of household articles he was returning to his house when at about 7:10 eleven FIR named accused variously armed surrounded him and started abusing and assaulting him and also made indiscriminate firing upon him. There is specific allegation against Sunil Yadav of causing firearm injury when he was fleeing away which hit below his left eye.

It has been submitted on behalf of the petitioners that



they are innocent and have been falsely implicated in this case due to village politics. There is no specific allegation against the petitioners of any specific overt act. Allegation is that they were present alongwith other accused persons. Petitioners are also accused in Phulparas P.S. Case No. 100 of 2018. Similarly, situated co-accused person has been granted bail by a co-ordinate bench of this Court vide order dated 03.12.2018 in Criminal Miscellaneous No. 68860 of 2018. Petitioners are in custody since 28.09.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-II Ind Jhanjharpur, Madhubani**, in connection with **Phulparas P.S. Case No. 132 of 2018**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the



court below.

(3) If the petitioners tampers 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. Kumar, J)

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