

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39541 of 2018

Arising Out of PS. Case No.-206 Year-2018 Thana- KHAGARIA District- Khagaria

Dharnidhar Yadav, S/o Late Anik Yadav Resident of Village - Barkhandi Tola,
P.S. Muffasil, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Binod Kumar
For the Opposite Party/s :	Mr. Sri Manish Kumar 2
	Mr. Manish Kumar, Advocate.
	Mr. Sudarshan Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

4 02-08-2018 Heard learned counsels for the petitioner and the State.

The petitioner, already in custody, seeks bail in connection with Khagaria (Muffasil) P.S.Case No. 206 of 2018 registered under Sections 147,148,149,302,307,323,341 and 448 of the Indian penal Code and 27 of the Arms Act.

Accusation is that all accused persons turned up to the house of the informant due to enmity and Chandradeo Yadav ordered for shooting the informant's brother and accused Anuj Yadav shot at his brother causing his death. When another brother Deepak Yadav came to his rescue then again Chandradeo Yadav gave order to shot at him upon which Brajesh Yadav caught hold him and thereafter Rajendra Yadav shot at him and he sustained injury in his hand and Manish Yadav also shot at the informant but missed the targate.



Submission is that there is enmity in between both sides and there is case and counter case and Khagaria (M) P.S. Case No. 207 of 2018 was instituted too by Chandradeo Yadav, brother of the petitioner, against the present informant's side and in that case one person from the petitioner's side was also killed. However, there is no accusation against this petitioner of any specific overt act of killing anyone or of making any attempt of life and considering the same ground, another co-accused Sukhdeo Yadav was earlier granted bail by this Court vide Cr. Misc. No. 38664 of 2018.

Learned counsel appearing on behalf of the informant opposed the prayer of bail.

Having considered the aforesaid facts and circumstances, as there is no specific accusation against this petitioner of killing the deceased or opening fire, so he, namely, Dharnidhar Yadav, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria in connection with Khagaria (Muffasil) P.S. Case No. 206 of 2018.

(Arun Kumar, J)

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