

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8431 of 2018

Arising Out of PS.Case No. -275 Year- 2017 Thana -NAUBATPUR District- PATNA

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1. Dinesh Yadav S/o Dhora Yadav @ Ramdeo Yadav, R/o Village- Bala Thakur, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.2322 of 2018

Arising Out of PS.Case No. -275 Year- 2017 Thana -NAUBATPUR District- PATNA

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1. Bhun Bhun Yadav @ Sudhir Yadav, Son of Jagdish Yadav, resident of Village- Bala Thakur, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.8431 of 2018)

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Nityanand

(In Cr.Misc. No.2322 of 2018)

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 13-02-2018 Both the bail applications (Cr. Misc. No. 8431 of 2018 and Cr. Misc. No. 2322 of 2018) arise out of same FIR therefore are being disposed of by this common order.

Heard learned Counsel for the petitioners and the State.

Petitioners, already in custody, seek bail in Naubatpur PS Case No. 275 of 2017 registered under Sections 147, 148, 149, 323, 324, 325, 326, 307, 504, 506, 302 of the IPC and Section 27 of the Arms Act.



The allegation in brief is that the accused persons armed with lathi, danda and pistol assaulted informant's brother Nanle Yadav and his nephew Nitish Yadav while they were doing agricultural work in the paddy field.

Learned Counsel for the petitioners submits that there is case and counter case between both sides, there is land dispute and from the prosecution side two persons were killed whereas from the petitioners' side one person was killed. All the family members have been implicated and there is general and omnibus allegation, nothing is specific against any one and the death is said to be caused by hard blunt substance, moreover title of the land was decided in favour of the petitioners in the Title Suit and charge-sheet has been submitted.

Learned Counsel for the State submits that there is general and omnibus allegation against all and even in the case diary there is no specific allegation against any one.

Having considered the said facts and circumstances, the petitioners, namely, Dinesh Yadav and Bhun Bhun Yadav @ Sudhir Yadav are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) by both of them with two sureties of the like amount each to the satisfaction of ACJM II, Danapur, Patna in connection with Naubatpur PS Case No. 275 of 2017.

(Arun Kumar, J.)

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