

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40377 of 2018

Arising Out of PS.Case No. -2040 Year- 2012 Thana -WEST
CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

=====

1. Upendra Yadav, Son of Late Gagandeo Yadav,
2. Harendra Yadav, Son of Late Gagandeo Yadav,
3. Shree Yadav, Son of Late Gagandeo Yadav, All are
resident of Village- Srinagar Pujahan, P.S.- Srinagar,
District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Surendra Mahto, S/o Saryug Mahto, R/o Village- Pujha
Patzir, Patzirwa, P.S.- Srinagar, Distt- West Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Sri Ram Naresh Ray

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-07-2018 Heard the learned counsel for the petitioners,
complainant and the State.

The petitioners seek bail in connection with Complaint
Case No. 2040(C) of 2012 in which cognizance has been
taken under Sections 307, 504, 506/149 of the Indian Penal
Code.

The petitioner No. 1 is said to have opened fire
leading to two simple injuries on the person of the
complainant. The petitioner Nos. 2 and 3 are said to be the
members of the mob.

The learned counsel for the petitioners has drawn the
attention of this Court to the fact that the complaint petition



itself reflects that there was a dispute with respect to the possession of a shop. In the occurrence which had taken place, many persons from the side of the accused have also received injuries. The reason for falsely implicating the petitioners is that prior to this case, another case was instituted at the behest of the family members of the petitioners against the complainant and others for the murder of one Gagandeo Yadav. In the aforesaid case, the complainant of the present case was an accused. In the aforesaid case, even petitioner No. 1 was fired at and was seriously injured.

The petitioners do not have any criminal antecedent and they are in custody since 17.04.2018.

Regard being had to the aforesaid facts, the petitioners above named, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(ten thousands) each with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-I-cum-Special Judge, Bettiah, West Champaran in connection with Complaint Case No. 2040(C) of 2012, Trial No. 2880 of 2018.

(Ashutosh Kumar, J)

Shageer/-

U		T	
---	--	---	--

