

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.75067 of 2018**

Arising Out of PS. Case No.-207 Year-2018 Thana- KHAGARIA District- Khagaria

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1. Phul Kumar @ Phul Kumar Yadav Son of late Indradev yadav
  2. Shrawan Yadav Son of late Khaltu Yadav Both R/o Village Barkhandi Tola, P.S. Khagaria (Muffasil), District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy (APP)

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**  
**ORAL ORDER**

2     14-12-2018                      Heard learned counsel for petitioners and learned counsel for the State.

Petitioners, who are in custody, seek bail in connection with Khagaria (Muffasil) P.S. Case No. 207 of 2018 registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 307, 302, 379/120-B of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged that while he was sitting near his door with his daughter-in-law, 24 named accused came there and started abusing them and accused Ashok Yadav at the instigation of Atmaram Yadav, has fired from his rifle which hit his daughter-in-law and she died on the spot.

It has been submitted on behalf of the petitioners



that they are innocent and have committed no offence. They have been falsely implicated in this case. There is general and omnibus allegation against the petitioners. There is no allegation of any specific over act against the petitioners. Petitioners are in custody since 17.09.2018.

Considering the aforesaid fact and circumstances of the case, let the petitioners named above be released on bail upon furnishing 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, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 207 of 2018 (G.R. No. 898 of 2018), subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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)**

Rajiv/-

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