

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.4726 of 2019**

Arising Out of PS. Case No.-543 Year-2018 Thana- SAUR BAZAR District- Saharsa

1. Shibo Yadav @ Shivnandan Yadav, Son of Late Hari Lal Yadav, Resident of Village - Pariharpur (Tarha) Police Station - Saur Bazar (O.P Baijnathpur), Dist.- Saharsa.
2. Amrendra Yadav, Son of Late Hari Lal Yadav, Resident of Village - Pariharpur (Tarha) Police Station - Saur Bazar (O.P Baijnathpur), Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Md. Harun Quareshi

For the Opposite Party/s : Md. Ahmad Ali

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      29-01-2019                      Heard leaned counsel for the petitioners and learned  
APP for the State.

The petitioners are languishing in custody since 01.10.2018 in a case registered for the offences punishable under Sections 302 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the fardbeyan of Ajay Yadav, recorded by Shambhu Nath Singh, S.I., is to the effect that on 30.09.2018 at about 08.45 P.M., when the informant along with his father were returning home after buying



vegetables from market, all FIR named accused persons started abusing the father of the informant. On protest being made, on the order of co-accused Bido Yadav, co-accused Kisto Yadav resorted to fire from a country made pistol at the father of the informant, causing firearm injury at his back. When the father of the informant fell down, the petitioners resorted to fire at the informant also which did not cause any injury. However, the father of the informant died during course of treatment.

It is submitted by learned counsel from the petitioners that the specific accusation of causing firearm injury to the father of the informant is against the co-accused Kisto Yadav and the petitioners have been roped in the present case, simply because they are own brothers of the co-accused, Kisto Yadav. It is further submitted that the investigation has already been concluded.

Learned APP for the State submits that the petitioners are named in the FIR.

Considering the fact that specific accusation of firing is against the co-accused, Kisto Yadav and the investigation has already been concluded, let the above named petitioners be released on bail, on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction



of learned **C.J.M., Saharsa** in connection with **Saur Bazar P.S.**  
**Case No.543 of 2018.**

**(Dinesh Kumar Singh, J)**

Deepak/Rahul/-

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