

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4659 of 2019

Arising Out of PS. Case No.-139 Year-2017 Thana- KUSHESHWARASTHAN District-
Darbhanga

-
1. Jhatahu Yadav @ Jhotahu Yadav Son of Ram Saran Yadav
 2. Jibachh Yadav Jhatahu Yadav Both resident of Village-Kasimpur,P.S.-
K.Asthan District Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shekhar Kumar Singh

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

6 18-12-2019 Heard learned counsel for the petitioners as well as
learned Addl. Public Prosecutor for the State.

Petitioners seek bail in a case registered under sections
302, 307 and other allied sections of the IPC and section 27 of
the Arms Act.

Petitioners are in custody since 10.09.2017.

It is submitted by counsel for the petitioners that
specific allegation as per F.I.R is that petitioners fired at
Makeshwar Yadav, son of the informant as a result of which he
sustained injury. In the instant case, charges have been framed.

Further submission is that even during investigation,
there is no document in support of any injury having been
sustained by Makeshwar Yadav upon whom petitioners are



alleged to have fired.

Learned A.P.P. opposes the prayer for bail.

Considering the rival submissions and period of custody of the petitioners, prayer for bail is allowed.

Let the above named petitioners be released on bail on furnishing bail bonds of Rs 10,000/- each with two sureties of the like amount each to the satisfaction of the Addl. Sessions Judge II, Benipur, Darbhanga in Sessions trial no. 542/2017 arising out of K.Asthan P.S. Case no. 139/2017 subject to the following conditions.

(1) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.

(2) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

s.hassan/-

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