

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15397 of 2019

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

1. MAHESH YADAV Son of Gajendra Yadav R/o village- Barkhandi Tola, P.S- Khagaria (Muffasil), District- Khagaria
2. Biko Yadav Son of Gajendera Yadav R/o village- Barkhandi Tola, P.S- Khagaria (Muffasil), District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-03-2019 Heard learned counsels for the parties.

The petitioners are languishing in custody since 13.12.2018 in a case registered for the offences punishable under Sections 147,148,149,448,341,323,307,302,379 and 120B of the I.P.C. and Section 27 of the Arms Act.

The prosecution case as per the written report of Chandradev Yadav. submitted to the SHO, Khagaria Mufassil Police Station is to the effect that on 7.4.2018 at 6.00 A.M., the informant was at his door, in the meantime all 24 FIR named accused persons including the petitioners came armed with lathi, danda and gun when co-accused Atma Ram asked the informant as to why he is not compromising in the earlier case and on the



order of co-accused, Atma Ram, co-accused Ashok Yadav resorted to fire from rifle which hit the younger brother's wife of the informant namely Rato Devi, as a result, she fell down and subsequently succumbed to the injury.

It is submitted by learned counsel for the petitioners that the accusation of causing fire arm injury to the victim is against co-accused Ashok Yadav. It is further submitted that the accusation against the petitioners is omnibus and general.

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

Considering the fact that the investigation has already been concluded, the accusation of firing is against co-accused Ashok Yadav and the period under custody, let the petitioners above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria in connection with Khagaria (Mufassil) P.S. Case No.207 of 2018.

(Dinesh Kumar Singh, J)

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