

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15371 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- SIKANDRA District- Jamui *

1. Pankaj Ravidas @ Pankaj Kumar @ Pankaj Kumar Ravidas, Son of Sri Krishnadeo Ravidas @ Krishnadeo Das, Resident of Village-Bichhwe, P.S.- Sikandra, District-Jamui.
2. Niraj Kumar Ravidas @ Niraj Kumar @ Niraj Ravidas, Son of Sri Krishnadeo Ravidas @ Krishnadeo Das, Resident of Village-Bichhwe, P.S.- Sikandra, District-Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioners are languishing in custody since 15.01.2019 in connection with Sikandra P.S. Case No.152 of 2018 registered for the offences punishable under Sections 147, 148, 149, 302, 120(B) of the Indian Penal Code and 27 of Arms Act.

Prosecution case as per the fardbeyan of Saryug Yadav recorded by S.H.O. Sikandra P.S. on 01.07.2018 is to the effect that on the same day at 6:00 P.M., the informant along with his co-villagers, namely, Suresh Yadav, Deepak Yadav, Vijay Yadav was returning to his village and Balmiki Yadav and



Dharmendra Yadav were also returning to their house, in the meantime, all the FIR named accused persons including the petitioners came variously armed and made their motorcycle stop. It is alleged that Krishna Yadav assaulted with an iron rod on the head of Balmiki Yadav, as a result, he fell down along with motorcycle. On the order of co-accused, Suresh Yadav, Binod Mahto fired on the temporal region of Balmiki, as a result, he died on the spot. Co-accused, Awdhesh Yadav, fired on the lower portion of Dharmendra Yadav, who also died on the spot. Thereafter, all the accused persons assaulted both Dharmendra Yadav and Balmiki Yadav by sharp cutting weapon and thereafter, they escaped from the scene. It is alleged that motive of alleged occurrence is dispute regarding appointment of Sevika in Anganwari centre.

It is submitted by learned counsel for the petitioner that the accusation of assault is against co-accused, Krishnadeo Ravidas, Binod Mahto and Awdhesh Yadav. It is further submitted that the petitioners were only present in the mob at the time of alleged occurrence as no specif accusation of assault has been made against the petitioners. The investigation has already been concluded and similarly situated co-accused persons, namely, Suresh Mahto and Krishnadeo Ravidas have



been granted bail by two Co-ordinate Benches of this Court vide order dated 31.10.2018 passed in Cr. Misc. No.69372 of 2018 and Cr. Misc. No.69601 of 2018 respectively.

Considering the fact that there is no specific accusation of assault being made against the petitioners, investigation has already been concluded coupled with the fact that the co-accused persons have been granted bail by two Co-ordinate Benches of this Court, let the above named petitioners be enlarged 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 learned Judicial Magistrate Ist Class, Jamui in connection with Sikandra P.S. Case No.152 of 2018.

(Dinesh Kumar Singh, J)

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