

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16820 of 2019

Arising Out of PS. Case No.-466 Year-2018 Thana- BAHADURPUR District- Darbhanga

1. RAJKUMAR YADAV Son of Sri Mahendra Yadav Resident of Village- Taralahi, P.S.- Bahadurpur, District- Darbhanga.
2. Hakru Yadav Son of Sri Rajgir Yadav Resident of Village- Taralahi, P.S.- Bahadurpur, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Babita Kumari

For the Opposite Party/s : Mr.Ramchandra Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioner no.1 is languishing in custody since 05.12.2018, whereas, petitioner no.2 is languishing in custody since 27.12.2018 in a case registered for the offences punishable under Sections 149, 342, 323, 504, 307 and 302/34 of the Indian Penal Code.

The prosecution case got initiated on the Fardbeyan of Ravi Kumar Singh, recorded by Raj Narayan Singh, SHO, Bahadurpur Police Station on 24.10.2018 at 1.00 P.M., to the effect that all the FIR named accused persons, including the petitioners surrounded the brother of the informant, namely Sunil Singh and thereafter co-accused Prabhash Yadav and Chandrahas Yadav fired upon the brother of the informant who



succumbed to the injuries.

It is submitted by learned counsel for the petitioners that the petitioners were only the part of the mob and the specific accusation of firing is against co-accused Prabash Yadav and Chandradas Yadav and the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP for the State submits that the petitioners were sharing the common intention.

Considering the fact that specific accusation of firing against co-accused Prabhash Yadav and Chandradas Yadav and the investigation already being concluded coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners 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 learned SDJM, Darbhanga in connection with Bahadurpur P.S. Case No. 466 of 2018.

(Dinesh Kumar Singh, J)

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