

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18465 of 2019

Arising Out of PS. Case No.-109 Year-2005 Thana- KATORIYA District- Banka

1. Basudeo Yadav Son of Late Chochlal Yadav
2. Ganesh Yadav Son of Mangar Yadav
3. Bhum Yadav Son of Mangar Yadav
4. Jitu Yadav Son of Prabhu Yadav
All Resident of Village - Kanibel, P.S.- Jaipur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad, Advocate
For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 17-05-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are languishing in custody for the offences punishable under Sections 341/307/302/120B of the Indian Penal Code and Sections 3/4/5/ of the Explosive Substances Act.

According to FIR, two unknown persons came on a motorcycle. The petitioners, who are co-villagers, surrounded Chandramani. Thereafter, two unknown threw bomb on Chandramani as a result whereof Chandramani died. Thereafter, the villagers, in 400-500 number, chased and caught two unknown persons and committed their death by bitterly assaulting them.



Land dispute is the reason for implication of these petitioners.

Learned counsel for the petitioners submits that husband of Chandramani Devi stated before the police that except the unknown persons no one was there at the time of occurrence vide para-6 of the case-diary. The petitioners have got no criminal antecedent and after investigation the police did not send up the petitioners for trial. However, the learned Court-below had taken cognizance against the petitioners.

Considering the aforesaid facts, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with S.T. No.44 of 2019, arising out of Katoria P.S. Case No.109 of 2005, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioners shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J.)

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