

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74556 of 2018

Arising Out of PS. Case No.-116 Year-2018 Thana- NAUGACHIA District- Bhagalpur

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1. Shubham Kumar Yadav, son of Maha Nand Yadav
 2. Shankar Yadav son of Sachchida Nand Yadav Both are Resident of Village- Balha Narayanpur, Police Station- Bhawanipur O.P., District- Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Sri Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-02-2019 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners seek bail in Naugachia P.S. Case No. 116/2018, instituted for offences under Section(s) 147, 148, 149, 302 and 120(B) of the Indian Penal Code read with Section 27 of Arms Act.

It is alleged in the written report that on the date of occurrence nine persons including these petitioners came on motorcycle and surrounded the father of informant. It is further alleged that three accused persons, namely, Brajesh Yadav, Chhabila Yadav @ Vikash Yadav and Sintu Yadav opened fire on the father of informant, who fell down after sustaining firearm injury.



Learned counsel for the petitioners has submitted that there is no allegation of making firing against these petitioners. Petitioners are alleged to be present on the spot.

The learned Sessions Judge has mentioned that post-mortem report is available in para 125 of case diary. The doctor has opined cause of death firearm injury.

Petitioners are in custody since 04.05.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioners for grant of bail is allowed. 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 **1st Additional Chief Judicial Magistrate, Naugachia, Bhagalpur** in connection with **Naugachia P.S. Case No. 116/2018**, subject to the conditions that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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