

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77607 of 2018

Arising Out of PS. Case No.-159 Year-2018 Thana- KASIMBAZAR District- Munger

1. Sudhir Yadav, S/o Late Baleshwar Yadav, aged about 56 Years,
2. Kailu Yadav S/o Sukhdeo Yadav, aged about 22 Years,
3. Opi Yadav S/o Sukhdeo Yadav, aged about 30 Years,
4. Raja Yadav @ Kare Yadav S/o Sajan Yadav, aged about 20 Years, All are R/o Mohalla- Mahaddipur, P.S.- Kasim Bazar, District- Munger.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rakesh Narayansingh

For the Opposite Party/s : Mr. Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 04-02-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kasim Bazar P.S. Case no. 159 of 2018, registered under Section 147, 447, 504, 506, 379, 323 and 307 of the Indian Penal Code and Section 25(1-A) and 27 of the Arms Act.

The accusation is that on 21.07.2018 at about 8.30 P.M. while informant Anita Devi was waiting her son at her door, at that time, Sunil Kumar, Deputy Mayor, Munger along with petitioners and other came and told in abusive language that in spite of demand her son is not giving money and



ordered to kill. Thereafter, Bablu Yadav, Rajesh Yadav, petitioner No.3 Opi Yadav, petitioner No.2 Kailu Yadav, petitioner No.1 Sudhir Yadav, petitioner no.4 Raja Yadav and 8 to 10 become anger. Sajjan Yadav move for her gate, but she locked her gate. Thereafter, he opened fire, which hit in the door and all entered in the house, Bablu Yadav opened fire with intent to kill her and at that time Rajesh Yadav fire then she received head injury and fell down. At that time, petitioner No.4 Raja Yadav snatched her golden chain from her neck, petitioner No. 1 and petitioner No.3 took cash of Rs. 4200/- after breaking the box and tried to pull her with bad intention.

Learned counsel for the petitioners submits that, in fact, prosecution party had come at the door of the Sudhir Yadav (Petitioner No.1) with arms and opened firing regarding which Kasim Bazar P.S. Case No. 158 of 2018 is instituted under Sections 147, 447, 341 and 504 of the Indian Penal Code and Section 27 of the Arms Act in which family members of the informant has been made accused. Further submission is that while allegation has been made in the F.I.R. about receiving the fire arm injury at the hand of Rajesh Yadav, but two injures i.e. one swelling and one lacerated



wound caused by hard and blunt substance were found. Further submission is that petitioner No.4 is accused in Kasim Bazar P.S. Case No. 62 of 2015, whereas other petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Session Judge-I, Munger in connection with Kasim Bazar P.S. Case No. 159 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

U		T	
---	--	---	--

