

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34860 of 2019

Arising Out of PS. Case No.-81 Year-2017 Thana- KARAHGAR District- Rohtas

1. KAMTA YADAV @ SHUKALU YADV Son of Late Harichand Yadav
Resident of Village- Khargpura, Police Station- Karghar, District- Rohtas at
Sasaram
2. Ram Narain Yadav @ Ram Narayan Singh son of Late Harichand Yadav
Resident of Village- Khargpura, Police Station- karghar, District- Rohtas at
Sasaram

... .. Petitioners

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioners : Mr.Raghunandan Kumar Singh, Advocate

For the Opposite Party : Mr.Mukeshwar Dayal, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-05-2019 Heard learned counsel for the petitioners as well as
learned counsel for the State.

Petitioners apprehend arrest in a case registered for
the offences punishable under Section 307 and other allied
sections of the Indian Penal Code and under section 27 of the
Arms Act.

Prosecution case in short is that while the informant
was coming to his house by motorcycle all the accused persons,
variously armed with country made Katta, Rifle, Gun and Lathi
surrounded him and tried to kill him but fortunately he saved his
life.

Learned counsel for the petitioners submits that the
petitioners have falsely been implicated in this case due to



village politics and they have no criminal antecedent. Offence under the Arms Act is not made out against them as there is no allegation of firing against the petitioners in the FIR. It is further contended that no injury has been caused to the informant. There is general and omnibus allegation against the petitioners.

Considering the facts of the case, let both the petitioners, above named, in the event of their arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 Additional Chief Judicial Magistrate, Rohtas at Sasaram in Karghar Police Station Case No. 81 of 2017, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully co-operate with the investigation and trial of the case, failing which the Court below shall be at liberty to cancel the bail bond of the petitioners.

(Prabhat Kumar Singh, J)

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