

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39878 of 2019

Arising Out of PS. Case No.-116 Year-2019 Thana- CHANDI District- Nalanda

1. MISHRI YADAV Son of Late Siyasaran Yadav R/o Village- Kasaura, P.S.- Chandi, District- Nalanda.
2. Krishna Yadav Son of Late Bhattu Yadav R/o Village- Kasaura, P.S.- Chandi, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-07-2019 Heard learned counsel for the petitioners, informant
and the learned APP for the State.

The petitioners seek bail in Chandi P. S. Case No.
116 of 2019 instituted for the offence under Section(s) 147,
148, 149, 302, 120B, 504 of the IPC and 27 of the Arms Act .

Learned counsel for petitioners has submitted that
there is no any allegation of specific overt act against these
petitioners.

In the written report it is alleged that on the orders of
Kamlesh Yadav, Akhlesh Yadav, Nandlesh Yadav made firing
with rifle which hit on the chest of father –in-law of informant
as a result of which he fell down and died in the way while



being taken for treatment.

Learned counsel for petitioners has submitted that in the postmortem report doctor has found one entry wound on the chest. Photo copy of postmortem report has been annexed as Annexure-2 to bail petition.

From the FIR, itself it appears that petitioners are only alleged to be member of unlawful assembly.

Learned counsel for the informant has appeared and opposed the prayer for bail.

Petitioners are in custody since 9.4. 2019

Considering the aforesaid, 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 ACJM 1st Hilsa Nalanda in connection with Chandi P. S. Case No. 116 of 2019 subject to the condition that both the bailors shall be the close relative of the petitioners.

(Sanjay Priya, J)

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