

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42099 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- OBRA District- Aurangabad

1. Mahesh Yadav @ Guddu aged about 22 years, Male Son of Ram Sakal Yadav @ Ram Sakal Singh Resident of Village- Mastalichak, P.S- Obra, District-Aurangabad (Bihar).
2. Rajesh Yadav aged about 24 years Son of Ram Sakal Yadav @ Ram Sakal Singh Resident of Village- Mastalichak, P.S.- Obra, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh
For the Opposite Party/s : Mr.Pranav Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-09-2019 Heard learned counsel for the petitioners, learned
APP for the State and learned counsel for the informant.

The petitioners who are in custody since 24.04.2019 has filed the instant application for grant of bail in connection with Obra P.S. Case No. 104 of 2019 registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the allegation in the FIR, in Tilak ceremony Baban Singh, Vijay Singh and Manoj Singh are alleged to have started firing. Thereafter, it is alleged that two persons supported the persons who had fired. Further it has been stated by the



informant that one Baban Singh fired which hit the informant's brother in his neck, as a result of which he fell down and died. Baban Singh is also said to have fired in the air.

It is submitted by learned counsel for the petitioner that the specific allegation of overt act is against Baban Singh and not against these petitioners and the case of the petitioners stand on the better footing than that of co-accused Manoj Singh who has been enlarged on bail vide order dated 02.09.2019 passed in Cr.Misc. No.42078 of 2019. The petitioners are in custody since 24.04.2019

The application for bail was opposed by learned counsel for the informant who submits that there is specific allegation against these petitioners of having supported the firing, in course of which the brother of informant was shot dead.

Having heard learned counsel for the parties and taking into consideration the fact that there is specific allegation against the accused Baban Singh while co-accused Manoj Singh has already been enlarged on bail and the petitioners are in custody since 24.04.2019, let the petitioners above named be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like



amount each to the satisfaction of the learned incharge Sub-divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Obra P.S. Case No. 104 of 2019.

(Partha Sarthy, J)

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