

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60154 of 2019

Arising Out of PS. Case No.-39 Year-2018 Thana- PAHARPUR District- East Champaran

1. KISHUNDEO YADAV Son of Late Ram Naresh Yadav Resident of Village- Majhariya, P.S.- Malahi, District- East Champaran.
2. Sonu Yadav Son of Kishundeo Yadav Resident of Village- Majhariya, P.S.- Malahi, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-09-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Paharpur (Malahi) P.S.Case No.39/18 , registered for offences punishable under Sections 341, 323, 379, 504 & 506/34 of the Indian Penal Code.

Allegation against the petitioner no.2 is of making indiscriminate firing and the allegation against the petitioner no.1 is of thrashing the informant on the ground . It further appears that petitioners are accused in one more case filed under Section 307 of the IPC as well as the Arms Act.

Submission of the learned counsel for the petitioners is that so far the petitioner no.1 is concerned, he is 76 years old



and there is no allegation of firing against him and so far petitioner no.2 is concerned, though there is allegation of firing against him but that did not hit anybody and the cartridges were produced by the informant and not seized by the police. It is further submitted that earlier a case had also been filed by the information as there is land dispute between the parties from before.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran, Motihari in connection with Paharpur (Malahi) P.S.Case No.39/18 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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