

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7298 of 2019

Arising Out of PS. Case No.-263 Year-2018 Thana- District- Gopalganj

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1. Baliram Yadav @ Bal Ram Yadav Son of Late Ram Chandra Choudhary Resident of Village - Domanpur Tola Gosaisiya, P.S- Bhorey, District- Gopalganj Presently residing at Gwala Basti, Bhuiya Dih, P.S.- Sidhgora, Jamshedpur, District - N. Sighbhum, Jharkhand
 2. Shiv Yadav @Shivji Yadav @Sheojee Yadav Son of late Ram Chandra Choudhary
 3. Shankar Yadav Son of Late Ram Chandra Choudhary
both 2 and 3 are resident of village - Domanpur Tola Gosaisiya, P.S- Bhorey,
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5
For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 22-04-2019 This is an application for grant of anticipatory bail in connection with Bhorey P.S. Case No. 263 of 2018, disclosing offences under Sections 147, 148, 149, 341, 323, 324, 307, 302, 436 and 504 of the Indian Penal Code.

Allegation against the petitioners is that while the informant along with others had gone to play football, the accused persons including the petitioners came variously armed and started indiscriminate firing, in the meantime, his bhabhi, Smt, Kisnawati Devi, another Bhabhi Smt. Devi and Puja Kumari came to save him, the accused persons started firing on them and there is specific allegation against one Lal Bahadur Yadav fired which caused injury to one Kisnawati Devi and due to which she failed down there and died and Smt. Devi and Puja Kumari has also been assaulted by lathi



and danda and there is allegation against the petitioner no.1 and other accused person that they set the pilani on fire.

Submission of learned counsel for the petitioners is that specific allegation of firing on the deceased is against Lal Bahadur Yadav and no specific allegation against the petitioners and the I.O. has not found any sign on the place of occurrence and there is land dispute between the parties, which appears from the FIR itself and due to that they have been falsely been implicated in this case.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XII, Gopalganj, in connection with Bhorey P.S. Case No. 263 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Amjad/-

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