

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59212 of 2019

Arising Out of PS. Case No.-124 Year-2018 Thana- CHAKAND District- Gaya

1. BARE YADAV Son of Satish Yadav Resident of Village - Lachhan Bigha @ Lakshan Bigha, P.S.- Belaganj, Distt - Gaya.
2. Chhote Yadav @ Chhati Yadav Son of Satish Yadav Resident of Village - Lachhan Bigha @ Lakshan Bigha, P.S.- Belaganj, Distt - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered under Section
302/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case in brief is that while the informant
and his grandson were talking in their Angan, the accused
persons came there and opened fire as a result of which, one
Bindu Yadav sustained injury and succumbed to the said injury.

It has been submitted on behalf of the petitioners that the
petitioners have got no criminal antecedent. There is no
allegation of tampering of witnesses alleged against the
petitioners. The petitioners are in custody since 02-07-2019.



Charge sheet has already been submitted. As per the FIR, three persons including the petitioners are said to have fired upon the deceased. From perusal of the postmortem report, it appears that there is only one fire-arm injury upon the deceased. The allegation made in the FIR is not corroborated by the postmortem report. The other co-accused with similar allegation has been granted bail by a coordinate bench of this court vide order dated 20-11-2019 passed in Cr. Misc. No. 61562 of 2019.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the petitioners named above is directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Gaya in connection with Chakand P.S. Case No. 124 of 2018.

(Sudhir Singh, J)

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