

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76776 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- HARNAUT District- Nalanda

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1. DOMAN YADAV Son of Late Binod Yadav Resident of Village-Kharuara, P.S.-Harnaut, District-Nalanda.
 2. Ranjeet Yadav @ Boto @ Bato Son of Vishwanath Yadav Resident of Village-Kharuara, P.S.-Harnaut, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lakshmi Kant Sharma

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 11-12-2019 Heard the learned counsel for the petitioners

and the State.

The petitioners seek bail in connection with

Harnaut (Chero O.P.) P. S. Case No. 312 of 2019 dated

04.08.2019 instituted for the offences under Sections

147, 148, 149, 341, 302 and 504 of the Indian Penal

Code and Sections 27 of the Arms Act, 1959.

Though the petitioners have been named in the

F.I.R. as being present at the place of occurrence with

lethal weapons in their hands but no overt act has been

attributed against them. It has been alleged by the



father of the deceased that one Rajesh Yadav caught hold of his son / deceased and he was fired at by one Ashok Yadav and Nilesh Yadav. The fatal injuries is thus attributed to two of the accused persons, namely, Ashok Yadav and Nilesh Yadav whereas Rajesh Yadav, another co-accused, is stated to have caught hold the deceased. No motive has been assigned for the aforesaid occurrence.

It has been submitted on behalf of the petitioners that they have been implicated in this case because of their being in good books of some of the accused persons of this case and there being a faction in the village.

The petitioners are in custody since 27.08.2019.

The petitioner no. 1 is a person of clean antecedent whereas the petitioner no. 2 who earlier was made accused in four cases, has been acquitted in three of them.



Considering the entire set of facts, this Court is inclined to and grants bail to the petitioners. The petition is accordingly allowed.

The petitioners, above-named, are directed to be released on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda in connection with Harnaut (Chero O.P.) P. S. Case No. 312 of 2019.

(Ashutosh Kumar, J)

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