

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10074 of 2020

Arising Out of PS. Case No.-64 Year-2019 Thana- BASANHI District- Saharsa

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1. PREMLAL YADAV @ AALO YADAV,
 2. Shankar Yadav,
Both Sons of Mallar Yadav, Resident of Village- Balaitha, P.S.- Basnahi,
District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 25-06-2020

This case has been heard through Video Conferencing.

Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 302, 120(B),
34 of the Indian Penal Code read with Section 27 of the Arms Act.

Allegation against the petitioners and other accused
persons is of killing the son of the informant by gun shot.

Learned counsel for the petitioners submits that the
petitioners are innocent and they have committed no offence but
have been falsely implicated in the present case. The allegation
against the petitioners are only of conspiracy and without any
basis.

Learned APP for the State vehemently opposed the



prayer for bail petition on the ground that allegations are very serious in nature against the petitioner.

Perused the record, in which the brother of the deceased in supervision note has stated that all the accused persons conspired to kill his brother. The fardbeyan and re-statement of informant also supports the case of the prosecution case. Para 39 in the supplementary case diary petitioners show criminal antecedents

In the aforesaid facts and circumstances, I am not inclined to enlarge the petitioners on bail. Accordingly, the prayer for bail of the petitioners are rejected in connection with Basnahi P.S. Case No. 64 of 2019 from the Court of learned A.C.J.M.-III, Saharsa.

Accordingly, the application is dismissed.

However, petitioners are directed to surrender before the learned court below and make prayer for bail, the learned court below shall dispose of the bail petition on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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