

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31518 of 2020**

Arising Out of PS. Case No.-203 Year-2019 Thana- SALAKHUA District- Saharsa

SAINI YADAV Son of Late Saruflal Yadav @ Late Saruplal Yadav Resident  
of Village - Mundickak, P.S.- Salkhua (Banma Itahari OP), Dist.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                           |
|----------------------|---|---------------------------|
| For the Petitioner/s | : | Mr.Sameer Ranjan, Adv.    |
| For the State        | : | Mrs.Sangeeta Sharma, APP  |
| For the Informant    | : | Mr. Suraj Kumar, Advocate |

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      02-12-2020                      Heard both sides through Video Conferencing.

The petitioner seeks bail in Salkhua(Banma Itahari  
O.P.) P.S. Case No.203 of 2019 registered under Sections147,  
148, 341, 302 of the Indian Penal Code.

The informant alleged that on the order of Bijendra  
Yadav to kill Kamlesh Yadav and Lalan Yadav, Guddu Yadav  
and Pappu Yadav surrounded them. In the meantime, the people  
sitting on the darwaza of Jaichandra Yadav also came there.  
Dinesh Yadav and Uday Yadav came and caught Kamlesh  
Yadav. Ramesh Yadav, Guddu Yadav, Avin Yadav and  
Jaichandra Yadav also caught Kamlesh Yadav. The accused shot  
dead Kamlesh Yadav on the spot. Thereafter, Raushan Yadav,  
Mahadev Yadav and Fantus Yadav shot Lalan Yadav. Other



accused persons surrounded the house of Pandav Yadav.

The learned counsel for the petitioner submits that petitioner is alleged to have surrounded the house of Pandav Yadav. No specific allegation of assault is made against the petitioner. It further submitted that Kamlesh Yadav was apprehended by the police and from his possession arms and ammunitions were recovered for which Salkhua(Banma Itahari O.P.) P.S. Case No.204 of 2019 was registered. It is submitted that Bhmeshwar Prasad @ Ramesh Prasad @ Bhmeshwar Prasad @ Ramesh Yadav and Pappu Yadav were granted anticipatory bail vide order dated 19.06.2020 passed in Cr. Misc. No.8077 of 2020 by a co-ordinate Bench of this court. The case of the petitioner stands on better footing.

Learned A.P.P. as well as learned counsel for the informant vehemently opposed the prayer for bail.

Perused the record. The petitioner is of course named in the F.I.R. but no allegation of assault is made against the petitioner.

Taking into consideration the facts aforesaid, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 4<sup>th</sup>,



District-Saharsa in connection with Salkhua(Banma Itahari O.P.)  
P.S. Case No.203 of 2019.

**(Prabhat Kumar Jha, J)**

Saurabh/-

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