

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73870 of 2019

Arising Out of PS. Case No.-176 Year-2019 Thana- MADANPUR District- Aurangabad

ARJUN YADAV, Son of Late Ram Bachan Yadav Resident of Village -
Banokhar Tola, Munshi Bigha, P.S.- Madanpur, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lal Bahadur Singh, Advocate

For the Opposite Party/s : Mr. A.M.P. Mehta, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with
Madanpur P.S. Case No. 176 of 2019, registered under
Sections 147, 148, 149, 506, 504, 307 and 302 of the Indian
Penal Code and Section 27 of the Arms Act.

The accusation is that in the morning of
11.08.2019, informant Shashi Kumar @ Shashi Kant Kumar
moved towards canal to attend call of nature then saw nine
persons named in the F.I.R., including the petitioner, engaged
in sapling the paddy, when Manoj Sharma, father of informant,
made protest then Sudhir Yadav and Mritunjay Yadav caused
assault through Khanti. In the meantime, on the behest of
Kapil Yadav, Arunjay Yadav fired through pistol at



Manoj Sharma, father of the informant, but he saved himself lying on the ground. In the meanwhile, Mantu Yadav, Anil Yadav and Dhananjay Yadav caused injury to the father of informant through lathi and sticks. At that time, Puranjay Yadav fired through pistol causing injury at the head of Manoj Sharma, father of informant, who fell down. Thereafter, informant started fleeing, but, Mritunjay Yadav, Kapil Yadav, Anil Yadav and Puranjay Yadav caught hold him and caused injury to him through Khanti, Lathi and stick, while his father rushed for treatment, but he died in the hospital.

Learned counsel for the petitioner submits that while petitioner is named as member of the mob, but no overt act has been attributed against the petitioner. Further submission is that occurrence of Marpit took place due to land dispute in which petitioner's side also sustained injury regarding which Madanpur P.S. Case No. 175 of 2019, under Sections 307, 302 and 504/34 was instituted on 11.08.2019 against informant and his father Manoj Sharma. The petitioner has no criminal antecedent and he is in custody since 12.08.2019.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released



on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Madanpur P.S. Case No. 176 and 2019.

(Rajendra Kumar Mishra, J)

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