

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18320 of 2021

Arising Out of PS. Case No.-298 Year-2020 Thana- AMARPUR District- Banka

1. LAKSHMAN YADAV SON OF LATE TALO YADAV R/O VILLAGE-LETWA, P.S.- FULLIDUMAR, DISTRICT- BANKA.
2. CONGRESS YADAV SON OF LAKSHMAN YADAV R/O VILLAGE-LETWA, P.S.- FULLIDUMAR, DISTRICT- BANKA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Adv.
For the Opposite Party/s : Mr.Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State through virtual court proceeding.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceeding. In the eventuality of non-removal of defects within undertaken period, office will place the matter before the Bench.

The petitioners seek bail in connection with Amarpur (Fullidumar) P.S. Case No. 298 of 2020 registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 3 and 4 of the Explosive Substance Act.

Allegation against the petitioners is that they along with others came and started abusing the informant's husband and on



protest, hurled two bombs upon informant's husband, resultantly her husband died at the spot while grand daughter of the informant sustained injuries on the leg.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. They have been falsely implicated in this case due to enmity. No incriminating article has been recovered from the conscious physical possession of the petitioners. There is no allegation of any overt act against the petitioner. There is general and omnibus allegation against the petitioner. The specific allegation is upon co-accused Pramod Yadav who hurled two bombs on Suresh Yadav, due to which he died at the spot. Similarly situated co-accused namely Anandi Yadav has been granted bail by this Court in Cr. Misc. No. 2540 of 2021 on 13.04.2021. The petitioner no.1 has one criminal antecedent and petitioner no.2 has no criminal antecedent and they have been languishing in custody since 31.7.2020.

Learned APP for the State opposed the prayer for bail.

Considering the facts and circumstances of this case, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Amarpur (Fullidumar) P.S. Case No. 298 of 2020.

(Anjani Kumar Sharan, J)

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