

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23244 of 2021

Arising Out of PS. Case No.-262 Year-2020 Thana- ITARHI District- Buxar

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Dharmendra Yadav, S/o Ramashankar Singh @ Ramashankar Singh Yadav,
Resident of Village- Mangolpar, P.S.- Itarhi, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 24684 of 2021

Arising Out of PS. Case No.-262 Year-2020 Thana- ITARHI District- Buxar

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Rama Shankar Singh @ Ramashankar Singh Yadav, Son of Late Ramdeo
Yadav, Resident of Village - Mangolpar, P.S.- Itarhi, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 23244 of 2021)

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Ashwini Kumar Rai

Ms. Renuka Ratnakar

(In CRIMINAL MISCELLANEOUS No. 24684 of 2021)

For the Petitioner/s : Mr. Arun Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Ashwini Kumar Rai

Mr. Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 26-10-2021

Heard learned counsel for the parties.

Petitioners seek bail in Itarhi P.S. Case No.262 of
2020, registered for the offences punishable under Sections 341,
323, 307, 120(B), 147, 148, 149, 504 and 506 of the Indian
Penal Code as well as under Section 27 of the Arms Act.

The prosecution case, in brief, is that on 26.11.2020,



the informant was going on a motorcycle along with a person and when they reached near a *Hanuman* temple, Dharmendra Yadav (petitioner of Cr. Misc. No.23244 of 2021), Govind Yadav and one unknown person stopped the motorcycle of the informant and started abusing. Thereafter Ramashankar Singh Yadav (petitioner of Cr. Misc. No.24684 of 2021), Ram Pravesh Yadav and one unknown person surrounded them and started assaulting and firing. It is alleged that bullet hit Ranjan Singh in his right chest and arm. When the informant tried to flee away, accused persons fired from the back side which hit in the back side of the body of the informant.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Petitioners are named in the FIR, but there is general and omnibus allegation against the petitioners. It is further submitted that during investigation, it has come that co-accused, Govind Yadav fired on the injured persons. It is also submitted that the petitioners are in custody since 28.11.2020 and they have got no criminal antecedent as stated in paragraph 3 of the bail petitions.

Learned counsel for the State as well as learned counsel appearing on behalf of the informant opposed the prayer



for bail of the petitioners and submitted that the petitioners are the main culprits and on behalf of the petitioners, other accused persons made firing.

Having considered the fact that there is omnibus and general allegation against the petitioners, let petitioners, above named, be released on bail on furnishing bail bonds 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, Buxar in connection with Itarhi P.S. Case No.262 of 2020.

(Anjani Kumar Sharan, J.)

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