

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27115 of 2021

Arising Out of PS. Case No.-189 Year-2019 Thana- BIHIA District- Bhojpur

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1. SRI BHAGWAN YADAV, Son of Late Pachan Yadav
 2. Raju, Son of Sri Bhagwan Yadav
Both Resident of Village - Umaraoganj, P.S. - Bihiya (Bahoranpur), Distt. - Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate
For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 28-09-2021 Heard the parties.

Let the defect(s), if any, be removed within four weeks.

Petitioners seek bail in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 325, 326, 307, 302 of the Indian Penal Code and Section 27 of the Arms Act.

Submission is that though the petitioners are named as member of the unlawful assembly, however, no specific overt act is there against the petitioners. Allegation of firing is against co-accused Munna Yadav @ Kariman Yadav. Investigation of the case against the petitioners is already complete. Petitioners have got no criminal antecedent.



Considering the fact that there is no substantial material against the petitioners for further detention as under trial prisoner, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Behiya (Bahoranpur) Police Station Case No. 189 of 2019, subject to the following conditions:-

(a) The petitioners shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioners.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioners shall not leave the country without permission of the court.

(Birendra Kumar, J)

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