

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40014 of 2021

Arising Out of PS. Case No.-40 Year-2021 Thana- LAKHISARAI District- Lakhisarai

1. DHINA YADAV @ GHEENA S/o Late Kamli Yadav Resident of Village- Rehua, P.S. and District- Lakhisarai.
2. AJAY YADAV S/o Bali Yadav Resident of Village- Rehua, P.S. and District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Chandra
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-10-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302/120(B)/34 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, these petitioners along with other accused persons were seen fleeing away after committing the murder of the father of informant. The reason behind the occurrence is that about seven years ago son of Anandi Yadav was shot dead in which father of informant was also named and in that case petitioner No.1 was a witness and due to that there was enmity between the family of petitioner



No.1 and father of informant.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case due to previous enmity. It is submitted that as per FIR these petitioners were seen fleeing away from the place of occurrence and there is no eye witness on the point as to who fired upon the deceased. There is no allegation in the FIR that these petitioners were seen while committing the offence. Petitioners claim clean antecedent and are in custody since 18.01.2021 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioners, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai PS case No.40/2021.

(Prabhat Kumar Singh, J)

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