

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50620 of 2021

Arising Out of PS. Case No.-484 Year-2020 Thana- GHOSI District- Jehanabad

1. SITARAM YADAV @ SITARAM PRASAD Son of Ram Swaroop Yadav Resident of Village- Pakhanpur (Lakshmipur), P.S.- Ghosi, District- Jehanabad.
2. Manoj Yadav @ Manoj Kumar Son of Binda Prasad @ Vinda Prasad Resident of Village- Pakhanpur (Lakshmipur), P.S.- Ghosi, District- Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan

For the Opposite Party/s : Mr.Anil Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek regular bail in a case registered for the offence punishable under Section 302 and some other ancillary Sections of the Indian Penal Code and u/s 27 of Arms Act. .

As per the prosecution case, on 25.10.2020 at about 11 PM while informant's nephew was sleeping, these petitioners along with other accused persons having rifle, Katta in their hands fired upon his house. On hearing the sound of firing, villagers came thereafter accused persons fled away. However, during the course of fleeing away they fired and injured Sunil Yasdav and Bunda Bind and Bunda Bind died during the course



of treatment at PMCH, Patna.

Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case due to previous enmity. Informant is not an eye witness of the occurrence. There is general and omnibus allegation against all the accused persons of causing injury and no specific allegation has been made against these petitioners. Similarly situated accused Naresh Yadav has already been granted bail by this court vide order dated 30.07.2021 passed in Cr. Misc. No. 27220/2021. Petitioners claim clean antecedent and are in custody since 17.06.2021 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 Sessions Judge-VII, Jehanabad in connection with Ghosi (Okari) PS case No.484/2020.

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(Prabhat Kumar Singh, J)

