

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1102 of 2021

Arising Out of PS. Case No.-25 Year-2020 Thana- MEHUSH District- Sheikhpura

1. Pintu Yadav, Son of Laxman Yadav, Resident of village - Mafo, Police Station - Mehus, District- Sheikhpura.
2. Adhik Yadav, Son of Laxman Yadav, Resident of village - Mafo, Police Station - Mehus, District- Sheikhpura.
3. Sukhdeo Yadav, Son of Laxman Yadav, Resident of village - Mafo, Police Station - Mehus, District- Sheikhpura.
4. Mahendra Yadav, Son of Laxman Yadav, Resident of village - Mafo, Police Station - Mehus, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate,
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 27-08-2021 As prayed for, let the learned counsel appearing for the petitioners remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Mehus P.S. Case No. 25 of 2020, registered under Section 307 and other allied Sections of the Indian Penal Code.

The accusation is that wife of the informant, Anil



Kumar, is Mukhiya of Panchayat whereas his son is doing the work of contractor in P.H.E.D. Department under Jal-Nal Yojna and his work was going over the Government land. In the meantime, Nitish Kumar came there and started to abuse and made demand of Rs.25,000/- as ransom, saying that after fulfillment of ransom amount, the work will be continued. On 17.05.2020, at about 10.30 P.M., while the informant was going to sleep after taking the meal then saw some persons were walking out side his house, on which, he made query then Nitish Kumar fired at him. At that time, Upendra Yadav, Mahendra Yadav (petitioner no.4), Pintu Yadav (petitioner no.1), Adhik Yadav (petitioner no.2), Sukhdeo Yadav (petitioner no.3), Rakesh Yadav and Mintu Kumar also came having firearm in their hands and started to abuse by making indiscriminate firing. At that time, they also pelting bricks. On raising alarm, when the villagers came there then they fled away.

Learned counsel for the petitioners submits that, in fact, due to some dispute, occurrence of Marpit took place in which, petitioners' side also sustained injury, regarding which, Mehus P.S. Case No. 24 of 2020 is also instituted on the basis of Fradbeyan of co-accused, Nitish Kumar, who is also sustained injury. Further submission is that while the allegation has been



made about making indiscriminate firing but none had sustained injury.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Patna, in connection with Mehus P.S. Case No. 25 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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