

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37935 of 2020

Arising Out of PS. Case No.-50 Year-2020 Thana- TANKUPPA District- Gaya

1. Anil Yadav @ Anil Kumar Yadav Son Of Mundrika Yadav Resident Of Village - Kharauna, P.S. - Tankuppa, District - Gaya
2. Upendra Yadav Son Of Late Nirmal Yadav @ Late Nirmali Prasad Yadav Resident Of Village - Kharauna, P.S. - Tankuppa, District - Gaya
3. Mundrika Yadav @ Mundrika Prasad Yadav Son Of Late Nirmal Yadav @ Late Nirmali Prasad Yadav Resident Of Village - Kharauna, P.S. - Tankuppa, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brajesh Prasad Gupta
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

6 28-10-2021 Heard learned counsel for the parties.

Petitioners seek regular bail in a case registered for the offence punishable under section 307/302 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, petitioners and other accused persons assaulted the informant and Devan Yadav, Kamlesh Yadav and Arun Kumar. Devan Kumar died during course of treatment.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation of assault against



all the accused persons and no specific overt has been alleged against the petitioners. There is case and counter case in which both sides sustained injuries. As per FIR, petitioners are not the assailant of the deceased. They claim clean antecedent and they are in custody since 12.6.2020.

Learned counsel appearing for the State and the informant oppose the prayer for bail. They submit that there is specific allegation in the FIR that the petitioners and other accused persons assaulted the informant and others, as a result of which one of the injured succumbed to the injuries during treatment.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioners is allowed. Let all the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate I, Gaya in Tankuppa Police Station Case No. 50/2020.

(Prabhat Kumar Singh, J)

Shashi

U		T	
---	--	---	--

