

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39779 of 2020

Arising Out of PS. Case No.-111 Year-2020 Thana- ALOULI District- Khagaria

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1. Ramjapoo Yadav, aged about 65 years, Male, Son of Shyam Lal Yadav
 2. Md Jamal, aged about 50 years, Male, Son of Md. Gafoor, both are resident of Village- Barua, P.S.- Allauli, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-02-2021 Learned counsel for the petitioners is permitted to remove the defect within four weeks.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in connection with Allauli P.S. Case No. 111 of 2020 registered for the offences punishable under Sections 147, 148, 341, 385, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution as made out from the written petition of the informant namely Prashant Kumar Priyadarshi is that petitioner run a business in the name of Patel Enterprises and sell cement, gitti, sand etc. on 27.03.2020 at about 5:30 P.M. he has gone to market for purchasing some



essential domestic articles and reached at his shop where he met his staff Manish Singh. He further alleged that all of sudden his accused person named in the F.I.R. came there along with 4-5 unknown assailants and started demanding Rs.5 lakhs as extortion for running a good business at said place, when informant refused to fulfill their demands then accused Md. Rabban fired a bullet on him which missed its target when his staff namely Manish Singh tried to intervene the his n accused Pankaj Yadav fired a bullet which hit the neck of Manish Singh who fell into the ground due to such injury. On hearing said firing people of locality came there then accused pe his rsons fled away after firing. Informant brought his staff to Allauli P.S. who advised them to bring him Sadar Hospital for treatment firstly from where he was referred to Begusarai for better treatmen. Informant further alleged that injured Manish Singh is still getting his treatment in Begusarai under the supervision of doctor Ashok Sharma.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. He further submits that on perusal of the F.I.R., it would appear that the petitioners are not the assailants of the injured Manish Singh. Learned counsel for the petitioners



further submits that it would appear that no specific allegation has been made against the petitioner. There is general and omnibus allegation against the petitioners. There is no overt act against the petitioners. He further submits that the petitioners are in jail custody since 24.08.2020 and petitioners have got no any criminal antecedent.

Learned A.P.P. for the State opposed the bail petition.

In the facts and circumstances of the case, let the above named petitioners be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) each only with two sureties of the like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Allauli P.S. Case No. 111 of 2020, subject to the following conditions :

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.

(2) The petitioners shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their bail bonds shall be liable to be cancelled by the learned



court concerned.

(4) The petitioners shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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