

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.931 of 2021

Arising Out of PS. Case No.-630 Year-2020 Thana- BANKA District- Banka

1. Birendra Yadav, aged about 25 years, Male, Son of Bhudeo Yadav
2. Surendra Yadav, aged about 21 years, Male, Son of Bhudeo Yadav
3. Chhedi Lal Yadav, aged about 32 years, Male, Son of Jivlal Yadav, all resident of Village - Kushaha, Police Station - Banka, District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-04-2021 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners seek bail in connection with Banka P.S. Case No. 630 of 2020 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 302 of the Indian Penal Code and Sections 3/4 of Explosive Act.

The case of the prosecution in brief is that on 01.08.2020 at about 10:00 am all the above named petitioners alongwith 10 other accused persons armed with lathi, danda, rod, pistol and bomb were ploughing the field of the informant when the informant along with his brothers went there and asked them not to do so, then all the accused persons started to assault the informant and his brothers.

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 instruction of Ramesh



Yadav, Dinesh Yadav and Yogendra Yadav started to throw bomb over the informant and others and in the meantime one of the brothers of the informant namely Sanjay Yadav got bomb injury over his back and he fell down and all the accused persons assaulted him over his head with lathi, in which he died on spot. Learned counsel for the petitioners further submits that there is general and omnibus allegation against the petitioners. There is no specific overt act against the petitioners. Petitioners are in jail custody since 02.08.2020 and petitioners have got no criminal antecedent mentioned in paragraph-3 of the bail petition.

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./ Successor Court, Banka in connection with Banka P.S. Case No. 630 of 2020.

(Anjani Kumar Sharan, J)

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