

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39993 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- RAJNAGAR District- Madhubani

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ASHOK KUMAR YADAV @ ASHOK YADAV S/o Late Ram Udgar Yadav
R/o Village- Mohanpur, P.S.- Pandaul, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 1202 of 2021

Arising Out of PS. Case No.-101 Year-2020 Thana- RAJNAGAR District- Madhubani

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SHAMBHU YADAV Son of Ram Karan Yadav Resident of Village - Ranti
Mohanpur, P.S.- Raj Nagar, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 2600 of 2021

Arising Out of PS. Case No.-101 Year-2020 Thana- RAJNAGAR District- Madhubani

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SANJAY YADAV SON OF VISHNU DEO YADAV RESIDENT OF
VILLAGE - MOHANPUR, P.S. - PANDAUL, DISTRICT - MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 39993 of 2020)

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

(In CRIMINAL MISCELLANEOUS No. 1202 of 2021)

For the Petitioner/s : Mr. Md. Soban Asghar

For the Opposite Party/s : Mr. Ashok Kumar Karna

(In CRIMINAL MISCELLANEOUS No. 2600 of 2021)

For the Petitioner/s : Mr.Ravi Prakash

For the Opposite Party/s : Mr. Ashok Kumar Karna

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN



ORAL ORDER

4 06-04-2021 As all the bail applications have cropped up from the same P.S. Case number, hence they are being heard together and disposed of by this common order.

Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State through virtual Court proceedings.

The petitioners seek bail in a case registered for the offence punishable under Section 302, 120 B of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that the brother of the deceased is said to have been shot dead by the petitioners in association of other co-accused.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They are quite innocent and have been falsely implicated in this case. They are neither named in the F.I.R. nor were apprehended on the spot. No incriminating article has been recovered from their conscious physical possession. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent. Petitioner-Ashok Kumar Yadav @ Ashok Yadav has been languishing in custody since 27.04.2020, petitioner-Shambhu Yadav has been



languishing in custody since 01.05.2020 and petitioner - Sanjay Yadav has been languishing in custody since 20.05.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Rajnagar P.S. Case No.101 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 his wife.

(2) The petitioners shall not indulge themselves 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, his 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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