

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4234 of 2021

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

1. TEJ NARAYAN YADAV SON OF LATE JAGDISH YADAV R/o village-Bageba, P.S.- Andharamath, District- Madhubani
2. RAM KUWAR YADAV SON OF MUNESHWAR YADAV R/o village-Bageba, P.S.- Andharamath, District- Madhubani

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratanakar Jha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 17-06-2021 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard both parties.

The petitioners seek bail in Andhramath P.S. Case No. 101 of 2020 (GR No. 1585/2020), registered for the offence punishable under Sections 307, 323, 341 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, nine named accused persons including these petitioners and 15-20 unknown are alleged to have made indiscriminate firing, as a result of which



six persons sustained firearm injuries.

It is submitted on behalf of the petitioners that no such occurrence has ever taken place. There is no allegation of any specific overt act against the petitioners rather allegation of firing is general and omnibus. From injury report, it appears that injuries have been caused by hard and blunt substance. In fact, scuffle took place between the parties due to grazing of grass in the field and for which counter case was also lodged by the petitioners side bearing Andhramath PS Case No. 108 of 2020. Both sides sustained injury. Petitioners are in custody since 24.08.2020 and bear clean antecedent, as stated in para 3 of the petition.

Considering the facts and circumstances of the case and the fact that petitioners bear clean antecedent and there is case and counter case, the petitioners above-named, are directed to be enlarged on bail 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 Judicial Magistrate Ist Class, Jhanjharpur, Madhubani in connection with Andhramath P.S. Case No. 101 of 2020, subject to following conditions:-

(i) The petitioners shall co-operate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Prabhat Kumar Singh, J)

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