

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80146 of 2019**

Arising Out of PS. Case No.-34 Year-2019 Thana- UPHARA District- Aurangabad

1. PINTU YADAV @ PINTU KUMAR Son of Janeshwar Yadav R/o Darwan (Dandwan), P.S.- Uphara, District - Aurangabad
2. Ravindra Yadav @ Ravindra Kumar Son of Raja Yadav R/o Darwan (Dandwan), P.S.- Uphara, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Yashpal Yadav, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      13-09-2021                      Heard learned counsel for the petitioners and learned  
APP for the State through virtual mode.

The petitioners are apprehending their arrest in connection with Uphara P.S. case No.34/2019 registered under Sections 302/34 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case, in short, is that on 17.07.2019 while the informant was irrigating the field with his son Manohar Kant Krishna @ Mithilesh Yadav, the accused persons including the petitioners along with 3-4 unknown armed with weapons reached there and caught his son. Co-accused Bhim Yadav @ Doma Yadav, Raja Yadav and Raj Kumar Yadav fired from their



pistols upon the informant's son, which hit on his forehead and chest, as a result of which he sustained grievous injuries and died.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Specific allegation of assault is alleged against the co-accused Bhim Yadav @ Doma Yadav, Raja Yadav and Raj Kumar Yadav, who are alleged to have fired upon the deceased. So far the petitioners are concerned, no specific allegation of assault is alleged against them. No overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bond to the satisfaction of Sri Swarn Prabhat, J.M. 1<sup>st</sup> class, Daudnagar, District Aurangabad in connection with Uphara P.S. case No.34/2019, subject to the conditions as laid down under



Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners will furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

Narendra/-

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