

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6756 of 2022

Arising Out of PS. Case No.-77 Year-2020 Thana- SAHAR District- Bhojpur

=====

DHANJI YADAV @ SANKH YADAV SON OF RAMJEE YADAV
RESIDENT OF VILLAGE- EKWARI, P.S.- SAHAR, DISTRICT- BHOJPUR
(ARRAH)

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6887 of 2022

Arising Out of PS. Case No.-77 Year-2020 Thana- SAHAR District- Bhojpur

=====

SURENDRA YADAV Son of Late Jhapsi Yadav @ Jhapsi Singh Resident of
Village - Keshwarpur, P.S. - Narayanpur, District - Bhojpur (Arrah).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 6932 of 2022

Arising Out of PS. Case No.-77 Year-2020 Thana- SAHAR District- Bhojpur

=====

SAJIVAN YADAV @ SAJIVAN SINGH @ SANJIVAN YADAV Son of
Bhola Singh @ Bhola Yadav Resident of Village - Ekwari, P.S. - Sahar,
District - Bhojpur (Arrah).

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 6756 of 2022)

For the Petitioner/s : Mr.Jai Vardhan Narayan

For the Opposite Party/s : Mr.Prem Kumar Jha

(In CRIMINAL MISCELLANEOUS No. 6887 of 2022)

For the Petitioner/s : Mr.Jai Vardhan Narayan

For the Opposite Party/s : Mr.Prem Kumar Jha

(In CRIMINAL MISCELLANEOUS No. 6932 of 2022)

For the Petitioner/s : Mr.Jai Vardhan Narayan

For the Opposite Party/s : Mr.Rajendra Nath Jha



ORAL ORDER

3 19-07-2022

learned A.P.P. for the State.

Section 27 of the Arms Act.

occurrence reached at the house of petitioner Surendra Yadav at



village Keshavpur from there he ran away to unknown place. Reason behind the occurrence is property dispute. It is further alleged that two days prior to the incident petitioners had come to informant favouring Avadhesh Yadav and told him to leave the home otherwise informant will have to face the consequences.

Learned counsel for the petitioners submits that petitioner Dhanji Yadav @ Sankh Yadav is in custody since 18.09.2021 and bears no criminal antecedent. Petitioner Surendra Yadav is in custody since 01.10.2021 and bears no criminal antecedent. Petitioner Sajivan Yadav @ Sajivan Singh @ Sanjivan Yadav is in custody since 18.08.2021 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering the evidence. Learned counsel further submits that as per first information report, the allegation of firing is not against the petitioners. As per FIR, it clearly shows that the genesis of the occurrence is related to previous land dispute in between the co-accused Awadhesh Yadav and informant. It is further stated that petitioners were acting as a well-wisher of both the parties and they wanted to pacify the land dispute but the parties could not settle on their respective terms and conditions. The entire



allegation against the petitioners is totally false and based on concoction. The petitioners have falsely been implicated in this case due to dirty village politics and on behest of their enemies.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioners, charge sheet has been submitted in the case and there is no likelihood of tampering the evidence and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Bhojpur at Arrah in connection with Sahar P.S. Case No. 77 of 2020, subject to following conditions:-

(i) One of the bailors shall be close relative of the petitioners, who shall file affidavit disclosing this fact as to how they are related with the petitioners.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates, without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

sanjeev/-

U		T	
---	--	---	--

