

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31738 of 2021

Arising Out of PS. Case No.-321 Year-2020 Thana- SHAMBHUGANJ District- Banka

1. PINTU YADAV S/O RAMRUP YADAV RESIDENT OF VILLAGE BASBITTA, P.S-SHAMBHUGANJ, DISTRICT-BANKA.
2. RAMRUP YADAV S/O LATE MAHABIR YADAV RESIDENT OF VILLAGE BASBITTA, P.S-SHAMBHUGANJ, DISTRICT-BANKA.
3. VINAY KUMAR YADAV @ VIJAY YADAV S/O BHUNESHWAR YADAV RESIDENT OF VILLAGE BASBITTA, P.S-SHAMBHUGANJ, DISTRICT-BANKA.
4. RAJESH KUMAR YADAV @ RAMESH KUMAR YADAV S/O RAMRUP YADAV RESIDENT OF VILLAGE BASBITTA, P.S-SHAMBHUGANJ, DISTRICT-BANKA.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pranav Kumar Jha

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 22-04-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

The petitioners apprehend their arrest in connection with Shambhuganj P.S. Case No. 321 of 2020, registered for the offences punishable under Sections 147, 148, 149, 307, 325, 504, 506 & 302 of the Indian Penal Code read with Section 27



of the Arms Act.

As per allegation, Devendra Yadav (deceased) with Mukesh Yadav and Gangadhar Yadav were loading paddy on *thela*, meanwhile, the named accused persons came there and Bhwneshar Yadav assaulted Devendra Yadav on his head. Pintu Yadav assaulted Mukesh Yadav with rod on his head and petitioner No. 4 assaulted Gangadhar Yadav on his head and Vijay Yadav started firing.

Learned counsel for the petitioners has submitted that there is land dispute between both the parties. For the same day occurrence the petitioner side has also lodged a case against the informant side. In counter case also the members of petitioner side have sustained injuries. He has submitted further that specific allegation of assaulting the deceased, Devendra Yadav, is not on the petitioners rather is the against co-accused Bhwneshwar yadav who is under custody. The injured persons, against whom there is allegation against the petitioners to assault have sustained simple injuries. He has also submitted that the petitioners are the persons of clean antecedent.

Considering the above-mentioned facts and circumstances, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be



released 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 learned ACJM, IV, Banka in connection with Shambhuganj P.S. Case No. 321 of 2020, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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