

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39698 of 2021

Arising Out of PS. Case No.-185 Year-2020 Thana- MOKAMAH District- Patna

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BINDESHWAR YADAV @ BICCHA YADAV Son of Lutan Yadav Resident
of Village - Knahaipur, P.S.- Mokama, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 42578 of 2021

Arising Out of PS. Case No.-185 Year-2020 Thana- MOKAMAH District- Patna

1. DEEPU YADAV Son of Lutan Yadav Resident of Village - Kanhaipur, P.S.-
Mokama, District - Patna
2. Nageshwar Yadav Son of Lutan Yadav Resident of Village - Kanhaipur, P.S.-
Mokama, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

with

CRIMINAL MISCELLANEOUS No. 42607 of 2021

Arising Out of PS. Case No.-185 Year-2020 Thana- MOKAMAH District- Patna

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NITISH KUMAR Son of Late Shyam Sundar Yadav Resident of Village -
kanhaipur, P.S.- Mokama, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 39698 of 2021)

For the Petitioner/s : Mr.Anuj Kumar, Advocate.

For the Informant : Mr. Arun Kumar Arun, Advocate.

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP.

(In CRIMINAL MISCELLANEOUS No. 42578 of 2021)

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

For the Informant : Mr. Arun Kumar Arun, Advocate.

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



(In CRIMINAL MISCELLANEOUS No. 42607 of 2021)

For the Petitioner/s : Mr.Premchandra Yadav, Advocate.
For the Informant : Mr. Arun Kumar Arun, Advocate.
For the Opposite Party/s : Mr.Satya Nand Shukla, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

10 07-04-2022 Heard the parties.

Heard learned counsels appearing on behalf of the petitioners, learned counsel for the informant and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two weeks of the complete start of the physical Court in normal course.

The petitioners seek regular bail in connection with Mokama P.S. Case No. 185 of 2020 for the offence punishable under Sections 147, 148, 149 and 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution story, in brief, is that on 13.09.2020 at 04:00 PM, the informant Madhu Devi was at her house and at the same time, her son Guddu Kumar aged about 20 years went out from house. In the meantime, Laxman Yadav, Mukesh Yadav, Nitish Kumar, Bindeshwar Yadav, Dipu Yadav, Nageshwar Yadav, Mitu Yadav, Umesh Yadav, Lalu Yadav (petitioner), Yugal Yadav, Sunil Yadav, Sudhir Yadav, Pramod Yadav, Sanjay Yadav, S/o not known, Sanjay Yadav, S/o Bharat



Yadav and Sagar Yadav who were armed with fire arms surrounded her son. Laxman Yadav and Mukesh Yadav fired, which hit on the chest of Guddu, Nitish fired which hit on his shoulder, Bindeshwar Yadav fired which hit on the upper of his neck, Dipu Yadav fired which hit on his waist and Nageshwar Yadav fired which hit on his thigh. They fled away confirming that Guddu Kumar has died. Villagers saw the occurrence.

Considering the serious nature of allegation made against the petitioners that they have fired indiscriminately on the son of the informant who subsequently died and the independent witnesses in various paragraphs of the case diary have supported the allegation made in the F.I.R. and the allegation is also corroborated by the post mortem report, I am not inclined to enlarge the petitioners on bail.

Accordingly, aforesaid bail applications are rejected.

The trial court is directed to conclude the trial expeditiously well within a period of nine months.

(Purnendu Singh, J)

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