

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42709 of 2021

Arising Out of PS. Case No.-87 Year-2020 Thana- BELCHHI District- Patna

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1. SUBHASH YADAV @ SUGAN YADAV S/O HARI YADAV R/O VILLAGE-GANICHAK, P.S-BELCHHI, DISTRICT-PATNA.
 2. RANJIT YADAV S/O ARUN YADAV R/O VILLAGE-GANICHAK, P.S-BELCHHI, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv.
		Mr. Anuj Kumar
For the Opposite Party/s	:	Mr. Arun

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 21-04-2022 Heard the parties.

Petitioners seek regular bail in connection with Belchhi PS Case No. 87 of 2020 registered under Sections 302 / 34 of the I.P.C. and Section 27 of the Arms Act.

The allegation in nutshell is that the petitioners along with other accused persons arrived on the field where husband of the informant was preparing ridge and upon objection being raised by the deceased, the co-accused / Nitish Kumar and Ratan Yadav fired upon the informant's husband due to which he died.

Learned senior counsel for the petitioners submits that from perusal of the First Information Report it would be evident that petitioners are not the assailant and they were at best



members of unlawful assembly and no overt act has been alleged against them.

On the other hand, Mr. Arun, learned counsel for the informant opposed the prayer for bail and submits that petitioners also participated in the crime and they don't deserve bail from this Court.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that no overt act has been alleged against the petitioners, they are in custody since 11/12/2020, charge sheet has already been submitted and there is no likelihood that petitioners will abscond or tamper with the evidence if released on bail, as such, I am inclined to grant regular bail to the petitioners.

Let the petitioners, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Barh in connection with Belchhi PS Case No. 87 / 2020.

praful/-

(Anil Kumar Sinha, J)

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