

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 34378 of 2022

Arising Out of PS. Case No.-665 Year-2021 Thana- ARA NAGAR District- Bhojpur

1. SHRI BHAGWAN YADAV @ SHRI BHAGWAN RAI S/O LATE CHEDI YADAV Resident of Village- Raghu Tola Ward No.- 34, P.S.- Ara Nagar, District Bhojpur.
2. Kamlesh Yadav @ Kamlesh Rai S/O Budh Ram Yadav @ Budh Ram Rai Resident of Village- Raghu Tola Ward No.- 34, P.S.- Ara Nagar, District Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34979 of 2022

Arising Out of PS. Case No.-665 Year-2021 Thana- ARA NAGAR District- Bhojpur

BUDH RAM YADAV @ BUDH RAM RAI S/o- Late Chedi Yadav @ Late Chedi Rai R/o Vill- RaghuTola WArD No. -34, P.s. Ara Nagar, Dist. Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 34378 of 2022)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Binod Kumar

(In CRIMINAL MISCELLANEOUS No. 34979 of 2022)

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioners and

learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to

remove the defects within three weeks. In the eventuality of

non-removal of defects within undertaken period, the office

will place the matter before the Bench.



The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 302 and 34 of the Indian Penal Code & under Section 27 of the Arms Act.

As per FIR co-accused Vikky Yadav and Sambhu Yadav have opened indiscriminate firing due to which Ramesh Yadav received injury on chest and Janardan Rai has also received fire arm injury.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He submits that there is no any evidence have brought on record against the petitioners. He submits that though the petitioners have named in the FIR but there is no specific allegation against the petitioners for any over act. He submits that there is general and omnibus allegation levelled against the petitioners. He further submits that petitioners in Criminal Misc. No. 34378 of 2022 have one criminal antecedent and petitioner in Criminal Misc. No.34979 of 2022 has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case,



let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Ara Nagar P.S. Case No. 665 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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