

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56191 of 2021

Arising Out of PS. Case No.-104 Year-2020 Thana- MARAUNA District- Supaul

1. KISAN YADAV @ KISUNDEV YADAV Son of Late Yugeshwar Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.
2. Chandan Yadav @ Chander Yadav Son of Late Yugeshwar Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.
3. Anil Yadav @ Subhash Kumar Yadav @ Subhash Kumar Son of Chander Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.
4. Siken Yadav @ Sikendra Yadav Son of Ramsundar Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.
5. Santosh Yadav @ Santosh Kumar Yadav Son of Sukhdev Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.
6. Rohit Yadav Son of Sukhdev Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.
7. Bijay Yadav @ Bijay Kumar Yadav Son of Awadh Lal Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.
8. Awarendra Yadav @ Amrendra Kumar Yadav @ Amrendra Yadav Son of Awadh Lal Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.
9. Awadhlal Yadav Son of Bhangi Lal Yadav Resident of Village - Teteriyahi, P.S. - Marauna, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Masoom Alam

For the Opposite Party/s : Mr. Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 28-06-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the State.



At the very outset, the learned counsel for the petitioners has submitted that during the pendency of this criminal miscellaneous petition, petitioner no. 1 Kisan Yadav @ Kisundev Yadav has been arrested, as such, this criminal miscellaneous petition has become infructuous with respect to him. He, therefore, seeks permission to withdraw this petition with respect to petitioner no. 1.

In view of above submission, **this criminal miscellaneous petition is dismissed as withdrawn with respect to petitioner no. 1.**

So far as rest petitioners are concerned, they apprehend their arrest in connection with Marauna P.S. Case No. 104 of 2020 registered for offence punishable under sections 341, 323, 307, 379, 504, 506/34 of the Indian Penal Code and 27 of the Arms Act.

As per allegation, when the informant was going with his tractor, ten persons intercepted him and they started indiscriminate firing on the informant and his driver. One fire shot passed to the proximity to the temporal region of the driver but luckily it did not hit him. The informant and his driver in order to save their lives, fled away therefrom. Whereafter, the accused persons damaged his tractor.



The learned counsel for the petitioners has submitted that there is previous enmity between the parties. One Lakho Devi lodged a case against the informant's side, as her husband was murdered and the brother of petitioner No. 1 was also murdered and in that case, the persons of informant's side were accused. He has submitted further that though there is allegation of indiscriminate firing, but none has injured any kind of injury.

Considering the above-mentioned facts and circumstances, let **petitioner nos. 2 to 9**, above named, in the event of their arrest or surrender, within four weeks from today, **be released on bail** on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- VI, Supaul in connection with Marauna P.S. Case No. 104 of 2020, subject to condition 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 mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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