

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40870 of 2022

Arising Out of PS. Case No.-129 Year-2021 Thana- BARARI District- Katihar

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1. SHARWAN YADAV S/o Gokul Yadav Resident of Village - Madheli Bandh,
P.S.- Barari, District - Purnia.
 2. Parli Yadav @ Tufan S/o Gokul Yadav Resident of Village - Madheli Bandh,
P.S.- Barari, District - Purnia.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhola Prasad

For the Opposite Party/s : Mr.Navin Kumar Pandey

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

ORAL ORDER

2 03-11-2022 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 petitioner as well as

the learned Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with

Barari P.S. Case No. 129 of 2021, registered for the offences

punishable under Section 302/34 of the Indian Penal Code and

Section 27 of the Arms Act.

As per allegation, seven named accused persons came

to the house of the informant and they fired on her father-in-law,

who was sleeping. Her father-in-law sustained injuries and died



at the spot.

The learned counsel for the petitioners has submitted that the petitioners are not the assailant and on similar footing, co-accused Pappu Yadav, who is brother of the petitioners, has been granted bail in Criminal Miscellaneous No. 64931 of 2021 and the case of the petitioner is on similar footing.

Considering the above-mentioned facts and circumstances, especially the fact that on similar footing co-accused Pappu Yadav has been granted regular bail by this Court, let the petitioners above-named 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-III, Katihar in connection with Barari P.S. Case No. 129 of 2021 subject to following conditions:-

(i) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

(ii) If the petitioners are found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioners and the learned court below will take decision in accordance with law.



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)

Nirmal/Mahesh

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