

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52226 of 2021

Arising Out of PS. Case No.-62 Year-2021 Thana- MANSI District- Khagaria

1. RAJESH YADAV S/o- BECHO YADAV Resident of Village- Rajajan, P.S.- Mansi, District- Khagaria.
2. Becho Yadav Son of Late Kesho Yadav Resident of Village- Rajajan, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Viveka Nand Singh
For the Opposite Party/s	:	Mr.Umesh Lal Verma
For the informant	:	Mr. Binod Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 22-04-2022 Heard learned Counsel for the petitioners, learned Counsel for the informant and learned Additional Public Prosecutor for the State.

The petitioners seek regular bail in connection with Mansi Police Station Case No. 62 of 2021, registered for the offence punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as per the First Information Report, is that the petitioner no. 2 gave order, upon which co-accused Lucho Yadav fired upon the son of the informant, due to which he died. The allegation against the petitioner no. 1 is that he, along with others, assaulted the informant by means of



lathi on his hand.

Learned Counsel for the petitioners submits that both the parties are co-villagers and from perusal of the First Information Report, it would be evident that there was dispute between them pertaining to passage. He next submits that the petitioners are not the main assailants. He further submits that the petitioners are in custody since 04.03.2021, having no criminal antecedent and charge sheet has been submitted against them and as such there is no likelihood that the petitioners will abscond and/or tamper with the evidence.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that both the parties are co-villagers, the petitioners are not the main assailants, the petitioner no. 2 is only the order giver, charge sheet has already been submitted and they are in custody since 04.03.2021, having no criminal antecedent, I am inclined to grant regular bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in



connection with Mansi Police Station Case No. 62 of 2021.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

