

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46649 of 2022

Arising Out of PS. Case No.-286 Year-2017 Thana- BIHARIGANJ District- Madhepura

1. SINTU YADAV @ SAROJ KUMAR YADAV S/o Uday Kant Yadav R/o village- Pakilpar, P.S.- Bihariganj, District- Madhepura
2. Rajesh Kumar @ Rajesh Yadav S/o Rudranarayan Yadav @ Rudo Yadav R/o village- Pakilpar, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Patla Kumari

For the Opposite Party/s : Mr. Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners undertakes to remove the defect(s), as pointed out by the office, within four weeks.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

While the husband of the informant went out of the house to attend the call of the nature, the F.I.R. named accused persons including these petitioners are said to have armed with



lethal weapons sitting in ambush encircled the deceased and shot dead him.

It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. As a matter of fact, after investigation, the police submitted the charge sheet finding the case true against six accused persons by keeping supplementary investigation going on against rest others including these petitioners. In the supplementary charge sheet, petitioners were not sent up for trial. However, the learned Magistrate differing with the final form took cognizance against these petitioners. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, 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 lower Court where the case is pending/successor Court in



connection with Bihariganj P.S. Case No.286 of 2017, subject to
the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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