

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9767 of 2023

Arising Out of PS. Case No.-628 Year-2022 Thana- RAJAOLI District- Nawada

1. Suresh Prasad Yadav @ Amit Kumar S/O Shivnandan Yadav @ Shivnandan Prasad R/O Village- Mahiyara, P.S.- Rajuuli, Distt- Nawada, Bihar (805125).
2. Chandan Kumar S/O Suresh Yadav R/O Village- Chiraian, P.S.- Sirdala, Distt- Nawada, Bihar (805123).
3. Vikash Kumar Yadav @ Vikash Kumar S/O Arjun Yadav R/O Village- Patrang, Gobind Bigha, P.O.- Paharpur, P.S.- Akbarpur Rajauli, Distt- Nawada, Bihar (805126).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aaruni Singh, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan,A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-05-2023 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in connection with Rajauli P.S. Case No. 628 of 2022 dated 17.11.2022 registered for the offences punishable under sections 147, 148, 149, 341, 323, 324, 326, 307 and 302 of the Indian Penal Code and section 27 of the Arms Act.



As per the prosecution case, the petitioner and the co-accused persons holding weapons surrounded the family members of the informant and the co-accused persons Naresh Prasad Yadav, Chote Lal Yadav and Pradeep Kumar caught hold of the informant's brother Uday Kumar and the co-accused Naresh Prasad Yadav assaulted with iron rod on the head of informant's brother who died on the place of occurrence. The other co-accused persons also assaulted the other family members causing injuries to them.

Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners. The other co-accused person has already been granted bail by the Co-ordinate Bench of this court vide order dated 12.04.2023 passed in Cr. Misc. No. 7714 of 2023. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 19.11.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-



bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Nawada, in connection with Rajauli P.S. Case No. 628 of 2022.

The application stands allowed.

(Chandra Prakash Singh, J)

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