

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1371 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- CHAKAI District- Jamui

=====

YAMUNA YADAV Late Mishar Yadav Resident of Village-Bhelwa
Mohanpur, P.S.-Khaira, District-Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 3944 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- CHAKAI District- Jamui

=====

MOHAN YADAV Son of Janki Yadav Resident of Village Bhelwa Mohanpur,
P.S. Khaira, District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 9461 of 2022

Arising Out of PS. Case No.-175 Year-2021 Thana- CHAKAI District- Jamui

=====

CHANDAN PANDIT Son of Arjun Pandit Resident of Village- Thamhan,
P.S.- Charkapathar (sono), District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

(In CRIMINAL MISCELLANEOUS No. 1371 of 2022)

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

(In CRIMINAL MISCELLANEOUS No. 3944 of 2022)

For the Petitioner/s : Mr. Umesh Prasad, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, Advocate

(In CRIMINAL MISCELLANEOUS No. 9461 of 2022)

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY



ORAL ORDER

3 06-01-2023 Heard learned counsel for the parties through video conferencing.

The three petitioners in the three applications have preferred these applications for grant of regular bail in a case registered under sections 302 and other allied sections of of the Indian Penal Code, section 27 of the Arms Act and sections 16(i)(a),16(A), 18, 18(B), 20, 22 and 23 of the U.A.P. Act, 1967.

As per the prosecution case, it is stated by the informant that the accused persons entered the house of the informant, caught hold of her father-in-law and forcibly took him out. Subsequently the two persons killed her father-in-law as also her husband. It is further stated that Sunil Marandi had threatened her brother-in-law (*devar*). Amongst the naxalites who had come to her place, she identified the ten named accused persons which included the three petitioners herein.

It is submitted by learned counsel for the petitioners Yamuna Yadav and Mohan Yadav that the petitioners are innocent and have been falsely implicated in this case. They have no concern with the occurrence nor has any material transpired to connect the petitioners with the extremist organisation. The petitioners have not been put on T.I. parade. They are in custody since 1.9.2021 and Mohan Yadav has no



criminal antecedent.

On behalf of the petitioner Chandan Pandit, learned counsel for the petitioner submits that the petitioner has no concern with the family of the informant nor is he a resident of the said village. He has been falsely implicated in the case only on the basis of suspicion. He is in custody since 1.9.2021 and has no criminal antecedent.

Heard learned Additional Public Prosecutors for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation in the FIR wherein two persons ie the father-in-law and the husband of the informant were killed, the petitioners are named accused in the FIR together with the allegation having been supported by the witnesses in course of investigation, the Court is not inclined to enlarge the petitioners on bail and the applications are rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

Spd/-

U		T	
---	--	---	--

