

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13715 of 2023

Arising Out of PS. Case No.-510 Year-2022 Thana- DAUDNAGAR District- Aurangabad

1. UMESH YADAV @ UMESH SINGH S/o Late Satram Yadav R/o village- Jamuawan, P.S.- Daudnagar, Distt- Aurangabad.
2. Abhay Kumar Dhari @ Sadhu S/o Umesh Yadav @ Umesh Singh R/o village- Jamuawan, P.S.- Daudnagar, Distt- Aurangabad.
3. Aditya Kumar @ Sonu Kumar S/o Umesh Yadav @ Umesh Singh R/o village- Jamuawan, P.S.- Daudnagar, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 14357 of 2023

Arising Out of PS. Case No.-510 Year-2022 Thana- DAUDNAGAR District- Aurangabad

1. SNEHA KUMARI Wife of Aditya Kumar @ Sonu Kumar R/V- Jamuawan, P.S- Daudnagar, Dist-Aurangabad
2. Rinki Kumari Wife of Alok Kumar Dhari R/V- Jamuawan, P.S- Daudnagar, Dist-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 13715 of 2023)

For the Petitioner/s : Mr. Sanjeev Ranjan, Adv.

Mr. Shweta Anand, Adv.

Mr. Ajit Anand, Adv.

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP.

Mr. Saket Anand, Adv.

Mr. Chhaya Kirti, Adv.

Mr. Ajay Kumar, Adv.

(In CRIMINAL MISCELLANEOUS No. 14357 of 2023)

For the Petitioner/s : Mr. Sanjeev Ranjan, Adv.

Mr. Shweta Anand, Adv.

Mr. Ajit Anand, Adv.

For the Opposite Party/s : Mr. Ahmad Ali, APP.

Mr. Saket Anand, Adv.

Mr. Chhaya Kirti, Adv.

Mr. Ajay Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-05-2023 As both these bail applications have cropped up from the



same police station case number, hence, with consent of parties, they are being heard together and disposed of by this common order.

Heard the parties.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 302, 120(B) of the Indian Penal Code and Section 25(1-b)9/27/35/36 of the Arms Act.

Allegedly, petitioners along with other accused persons came at the field of the informant and started assaulting. On instigation of petitioner no.1 and one Chinta Devi, petitioner no.3 assaulted the informant's husband with lathi. Co-accused Alok Kumar Dhari fired from his pistol as a result of which his husband died. Petitioner no.2 is said to have shouted having pistol in his hand.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. No such occurrence as alleged ever took place. Both the parties belong to the same family. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. There is admitted land dispute between the



parties. There is specific allegation against co-accused Alok Kumar Dhari. It is further submitted that as per the postmortem report, it was found that the deceased died due to bullet injury. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

Considering the facts and circumstances of the case as well as the postmortem report, 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 Daudnagar P.S. Case No. 510 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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