

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24221 of 2022

Arising Out of PS. Case No.-133 Year-2019 Thana- SONBERSA District- Saharsa

-
1. MANOJ YADAV SON OF PARMESHWAR YADAV
 2. ASHOK MUNI SON OF NEPAL MUNI
BOTH R/O VILLAGE - BARAHI TOLA, BANNI BASA, P.S.-
SONBARSA RAJ (KASH NAGAR O.P.), DISTRICT- SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 12-01-2023 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 302 and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the twelve named accused persons including the two petitioners herein are said to have come and resorted to firing as a result of which one Avinash Kumar Singh died.

It is submitted by learned counsel for the petitioners that from the contents of the F.I.R. itself, it would transpire that it was the shot fired by Bijo Yadav which led to death of the deceased. At best, the petitioners may be said to be the members



of unlawful assembly. The petitioners are in custody since 10.2.2022 and chargesheet has been submitted in the case.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations in the F.I.R., the specific allegation of firing on the deceased having been made on Bijo Yadav, grant of bail to co-accused Randhir Yadav vide order dated 29.2.2020 passed in Cr. Misc. no.12156 of 2020 and the petitioners being in custody since 10.2.2022, the Court directs the two petitioners to be enlarged on bail in connection with Sonbarsa Raj P.S. Case no.133 of 2019 on each of them furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa.

(Partha Sarthy, J)

Saurabh/-

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

