

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27626 of 2023**

Arising Out of PS. Case No.-74 Year-2020 Thana- MANIGACHI District- Darbhanga

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1. KRISHNA YADAV @ KRISHNA KUMAR YADAV SON OF HARERAM YADAV R/O CHAKCHINTAMANIPUR, P.S.- MANIGACHHI (BAJITPUR O.P.), DISTRICT- DARBHANGA
 2. ASHUTOSH YADAV @ ASHUTOSH KUMAR YADAV @ RINKU YADAV SON OF MAHESHWAR YADAV R/O CHAKKA JAGDISHPUR WARD NO.13, P.S.- MANIGACHHI (NEHRU O.P.), DISTRICT- DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajib Ranjan Jha, Advocate
For the Informant	:	Mr. Gopal Jha, Advocate
	:	Mr. Shreepal Jha, Advocate
For the State	:	Ms. Anita Kumari, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH

ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under sections 147, 148, 149, 504, 506, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, when the informant was



sitting at his *darwaja*, all the accused persons including these petitioners armed with weapons came and asked about Pramukh. When the brother-in-law of the informant came and intervened, on instigation of co-accused Vidyanand and Dilip, co-accused Kaushalendra Yadav shot at the brother-in-law of the informant.

It is submitted on behalf of the petitioners that on bare perusal of the FIR, it is manifest that there is no specific allegation of causing assault against these petitioners. Police after investigation submitted final form against these petitioner. Similarly situated co-accused have already been granted bail as stated in Paragraph-11 of the petition.

Learned counsel for the State and Informant vehemently opposed the prayer for pre-arrest bail.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. V Darbhanga, in connection with Magigachhi (Bajitpur) P.S. Case No. 74 of 2020 subject to the



conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Alok Verma/-

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