

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43283 of 2023

Arising Out of PS. Case No.-567 Year-2022 Thana- TRIVENIGANJ District- Supaul

1. Nitish Kumar @ Nitish Yadav S/O Anandkant Yadav @ Anankant Yadav R/O Village- Laharnia, Ps. Triveniganj, Dist. Supaul
2. Parasmani Yadav @ Parasmani Kumar S/O Anandkant Yadav @ Anankant Yadav R/O Village- Laharnia, Ps. Triveniganj, Dist. Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 27-07-2023 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.

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

3. The petitioners have preferred this application for grant of regular bail in connection with Triveniganj P.S. Case No. 567 of 2022 dated 13.12.2022 registered for the offences punishable under Sections 148, 149, 447, 326, 307, 323, 341, 324, 302 and 379 of the Indian Penal Code and Section 27 of the Arms Act.

4. As per the prosecution case, the petitioners and the



co-accused persons along with 6-7 unknown persons came holdings weapons and started attacking and the co-accused persons, Indresh Yadav and Barjesh Yadav fired three rounds on the head of the informant's cousin's brother Satyendra Yadav. In the meantime, the co-accused persons Anankanth Yadav and Awdesk Kumar fired on the informant's cousin Ravindra Yadav with pistol on the back and shoulder, causing injuries. Thereafter, the petitioner Parasmani Yadav fired on the head of informant's cousin Puneet Yadav and the co-accused Sachidanandan Yadav and Amrendra Yadav assaulted all the three cousin's brother of the informant with *farsa*. Later on, the petitioner Nitish Yadav snatched jewellery worth Rs. 17,000/- from Satyendra Yadav.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. Nothing has been recovered from the possession of the petitioners. There is land dispute between the parties. The petitioners have clean antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 17.01.2023 as stated in para 11 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners by submitting that the



injured Satyendra Yadav died during the course of treatment.

7. 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, Supaul in connection with Triveniganj P.S. Case No. 567 of 2022.

8. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

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

