

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56973 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- RAJNAGAR District- Madhubani

1. Md. Ujale @ Niyaz @ Neyaz Ahmad Son Of Samimuddin @ Munna Resident Of Village Rahika Barha Tola P.S Rahika District Madhubani
2. Bhola Kumar @ Vikas Sah @ Vikas Son Of Shatrudhan Sah @ Shatrudhan Sahu Resident Of Village- Basuwara, Ps- Madhubani Town, Dist- Madhubani

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60723 of 2023

Arising Out of PS. Case No.-9 Year-2023 Thana- RAJNAGAR District- Madhubani

Prakash Yadav @ Prakash Kumar @ Badal Yadav S/O Late Ganesh Yadav R/O Village- Mohanpur, P.S- Pandaul, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56973 of 2023)

For the Petitioner/s : Mr.Subhash Kumar Jha

For the Opposite Party/s : Mr.Ram Bilash Roy Raman

(In CRIMINAL MISCELLANEOUS No. 60723 of 2023)

For the Petitioner/s : Mr.Umesh Kumar Verma

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 07-11-2023 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a

case registered for the offences punishable under



Sections 302/120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case as per F.I.R is that
petitioner Prakash Yadav and Ganesh Yadav came his
house and took his son Deepak Kumar with them to
Rampatti. Thereafter, due to some previous enmity,
altogether six miscreants surrounded his son and started
to fire indiscriminately due to which his son sustained
gunshot injuries and died during treatment.

It is submitted by learned counsel for the
petitioners that petitioners are innocent and they have
falsely been implicated in this case. The informant is not
the eye witness to the occurrence. There is general and
omnibus allegation against all the accused persons
including the petitioners. During investigation, no
consistent material evidence was found against the
petitioners and only on the basis of suspicion, the
petitioners have been roped in the present case. The
petitioners are languishing in custody since 17.06.2023



and 20.04.2023.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Madhubani in connection with Rajnagar P.S. Case No. 09 of 2023.

(Sunil Kumar Panwar, J)

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