

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61602 of 2023

Arising Out of PS. Case No.-352 Year-2023 Thana- SHEKHPURA District- Sheikhpura

1. Shankar Yadav @ Mauli Yadav Son Of Anandi Yadav R/O Vill - Kusumbha, Tola Badhaiya, P.S. - Sheikhpura, Distt. - Sheikhpura
2. Dev Yadav Son Of Janki Yadav R/O Vill - Gopichak, P.S. - Kusumbha O.P., Distt. - Sheikhpura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prasad Singh
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners have prayed for regular bail in a case registered for the offence punishable under sections 302 and 34 of the Indian Penal Code and Section 27 of Arms Act.

3. Allegation against the petitioners is that upon their order, co-accused, namely, Ramashish Yadav fired from his pistol due to which the informant's husband sustained gun shot injury and shot dead.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence. They have falsely been implicated in this case. No any specific overt



act of opening fire upon the deceased has been levelled against the petitioners rather co-accused fired upon the informant's husband due to which he died. Only allegation against the petitioners is that they gave order to kill the informant's husband. Moreover, the petitioner No.1 is languishing in judicial custody since 25.06.2023. whereas the petitioner No.2 is languishing in judicial custody since 09.07.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioners, this court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be released on bail in connection with Sheikhpura P.S. Case No. 352 of 2023 on each of them furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sheikhpura.

(Sunil Kumar Panwar, J)

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