

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62778 of 2023

Arising Out of PS. Case No.-185 Year-2020 Thana- MOKAMAH District- Patna

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1. SUNIL YADAV S/O YUGAL YADAV @ JUGAL YADAV R/O VILLAGE-KANHAIPUR, PS. MOKAMA, DIST. PATNA
 2. SUDHIR YADAV S/O YUGAL YADAV @ JUGAL YADAV R/O VILLAGE- KANHAIPUR, PS. MOKAMA, DIST. PATNA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar

For the Opposite Party/s : Mr.Rita Verma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioner has prayed for bail in a case instituted for the offence under Sections 147, 148, 149, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, while the informant was at her house and her son Guddu Kumar went out of the souse. Suddenly accused persons armed with deadly weapons surrounded her son and Lakshman Yadav and Mukesh Yadav shot fire on his chest. Accused Nitish Kumar, Bindeshwar Yadav, Dipu Yadav and nageshwar Yadav also opened fire which hit his different part as a result of which he died on spot.



It is further alleged that accused persons including the petitioner entered into the house of the informant and abused and assaulted her. When his son Ranjay Yadav came there to rescue her, accused persons attacked on him and her husband. Ranjay Yadav died on spot due to injury inflicted by sharp cutting weapon.

It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. Sixteen accused persons are made as accused in the present case. No specific allegation of assault upon the deceased is attributed to the petitioners. General and omnibus allegations have been leveled against the petitioners. They have committed no offence. They were only the member of the mob. No specific allegation of firing is against the petitioners. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 7.4.2022 passed in Cr. Misc. No. 29226 of 2021. Petitioners are in custody since 10.5.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) each with two sureties of the like amount each to the satisfaction of the learned ACJM-III. Barh, Distt. Patna in connection with Mokama P.S. Case No. 185 of 2020.

(Sunil Kumar Panwar, J)

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