

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70390 of 2023

Arising Out of PS. Case No.-341 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

1. AKHILESH KUMAR YADAV @ AKHILESH YADAV S/O VIJAY YADAV R/O VILLAGE- PIRAUTA, P.S- ARA MUFASIL, DISTT.- BHOJPUR.
2. SANJAY YADAV S/O LATE CHAND DEV YADAV R/O VILLAGE- PIRAUTA, P.S- ARA MUFASIL, DISTT.- BHOJPUR.
3. RAMDULAR YADAV S/O LATE CHANIL YADAV R/O VILLAGE- PIRAUTA, P.S- ARA MUFASIL, DISTT.- BHOJPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar, Adv.
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Ara Mufasil P.S. Case No. 341 of 2023, dated 02.08.2023, registered for the offence punishable under Sections 147, 148, 149, 323, 324, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of prosecution, in short, is that on 02-08-2023 at 16:00 hrs in the evening, the younger brother of informant namely Neeraj Yadav was at Yadao Pur more near Lotus School. All of sudden Akhilesh Yadav came and started



abusing and beating his brother. It is further alleged that later on at 5:00 P.M. accused persons came together with fire arm and entered into the house of the informant and started abusing. Vijay Yadav assaulted the informant with Farsa, due to which he received cut injury on his head and fell down on the ground. The accused Pappu Yadav has opened fire which hit to one unknown person and he fell down.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is no specific allegation against the petitioners rather, the allegation is general and omnibus. There is case and counter case between the parties. One of the accused namely Ganpat Yadav has lodged F.I.R. against father of the informant namely Budhan Yadav for the same occurrence. There is specific allegation against co-accused Vijay Yadav, who assaulted the informant by farsha, due to which he received cut injury on his head and accused Pappu Yadav, who opened fire on the unknown person. The petitioners have no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail to the petitioners.

6. Having considered the facts and circumstances of



the case and the submissions of learned counsel for the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VII, Bhojpur at Ara in connection with Ara Mufasil P.S. Case No. 341 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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