

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69209 of 2023

Arising Out of PS. Case No.-147 Year-2023 Thana- CHAND District- Kaimur (Bhabua)

1. Shyam Lal Yadav Son Of Late Lalta Yadav Resident Of Village - Bhaluhari, Police Station - Chand, District - Kaimur (Bhabhua)
2. Jamuna Yadav @ Yamuna Yadav Son Of Late Lalta Yadav Resident Of Village - Bhaluhari, Police Station - Chand, District - Kaimur (Bhabhua)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

2. The petitioners have prayed for bail in a case registered for the offence punishable under Sections 341, 323, 324, 325, 307, 302, 379, 506 and 34 of the Indian Penal Code.

3. As per allegation in the F.I.R., while the informant along with deceased Siyaram Yadav went to purchase cow from their motorcycle, in the way several accused persons armed with rod, lathi, farsa have assaulted to both of them due to which they sustained injury. It is further alleged that at that place the petitioners alongwith two co-accused instigated the accused persons. When the injured were taken to hospital on the way



Siyram Yadav died. In course of assault the deceased was having 80-90 thousand rupees in his pocket which was taken by all the accused persons including one gold chain.

4. Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have been falsely implicated in this case due to dirty village politics and ulterior motive. Both the parties are co-villagers. General and omnibus allegation has been levelled against the petitioners and no specific allegation of assault is alleged against these petitioners. The only allegation against the petitioners is that they are order giver. The petitioners along with o-accused Subedar Yadav and Kedar Yadav are said to have instigated the other accused. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent. Petitioners are languishing in judicial custody since 25.07.2023.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Additional Chief Judicial Magistrate-IV, Kaimur (Bhabhua) in connection with Chand P.S. Case No. 147 of 2023.

(Sunil Kumar Panwar, J)

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