

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12774 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- JANKINAGAR District- Purnia

1. Bechan Yadav @ Bechandev Kumar @ Bachandeo Kumar Bachan S/O Vakil Yadav R/O Village- Sahuriya Subhay, Milika Jankinagar, Ps.- Jankinagar, Dist.- Purnea.
2. Chandan Kumar @ Chandan Yadav S/O Vakil Yadav R/O Village- Sahuriya Subhay, Milika Jankinagar, Ps.- Jankinagar, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 15395 of 2024

Arising Out of PS. Case No.-189 Year-2023 Thana- JANKINAGAR District- Purnia

Butan Yadav @ Batan Yadav @ Tutan Yadav S/o Late Panchu Yadav Resident of Village- Jankinagar Kari Mandal Tola, P.S.- Jankinagar, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 12774 of 2024)

For the Petitioner/s : Mr.Vaishnavi Singh, Adv.
: Mr. Ajay Kumar Thakur, Adv.
: Mr. Ritwik Thakur, Adv.

For the Opposite Party/s : Mr.Shantanu Kumar, APP

(In CRIMINAL MISCELLANEOUS No. 15395 of 2024)

For the Petitioner/s : Mr.Bhola Prasad, Adv.
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 16-04-2024 Heard learned counsel for the petitioners and

learned APP for the State.

2. The petitioners are in custody in connection



with Jankinagar P.S Case No. 189 of 2023 registered for the offences punishable under Sections 341, 323, 307, 302/34 of the I.P.C and Section 27 of the Arms Act.

3. As per prosecution case, as alleged son of Navin Kumar shot firing upon Santosh Kumar by fire arms and his another son Pawan Kumar also shot firing upon nephew Bablu Kumar by fire arms due to which Santosh Kumar died on the spot and Bablu Yadav sustained fire injury and fell down on the ground. Thereafter, this petitioners and co-accused person, namely, Pankaj Kumar assaulted on the head as well as Jaw of another nephew of the Informant Vikash Kumar due to which Vikash Yadav also sustained injuries.

4. Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. I It is next submitted that there is no allegation that petitioners in any way assaulted either to the deceased Santosh Kumar or to Bablu and it is alleged that Pankaj Kumar, Bechan Yadav and Chandan Kumar allegedly assaulted Vikash with butt of weapon on his head and jaw. It is also submitted that as per impugned order injury received by Vikash is simple in



nature. It is further submitted that petitioners have got no criminal antecedent as stated in para 3 of the bail petition. It is also submitted that petitioners are in judicial custody since 18.09.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioners.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioners, let the above named petitioners be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Jankinagar P.S Case No. 189 of 2023.

(Ramesh Chand Malviya, J)

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