

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25144 of 2024

Arising Out of PS. Case No.-681 Year-2023 Thana- JAMUI District- Jamui

Chunchun Yadav, Male, Aged about 35 years, S/o Jaya Yadav, R/o Village-
Choudiha, P.S.- Jamui, District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Madan Mohan, Advocate Mr. Ritik Sah, Advocate Mr. Rahul Raj, Advocate
For the Opposite Party/s	:	Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 15-04-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with Jamui
P.S. Case No. 681 of 2023 instituted for the offences punishable
under Sections 147, 148, 149, 302, 120B, 504 and 506 of the
Indian Penal Code.

3. As per the prosecution case, on the alleged date of
occurrence when the informant along with his brothers, father,
two uncles (mama) and one cousin were sitting at their shop at
that time the accused persons including petitioner arrived there
and started to abuse the informant and his family members in
filthy language. In course of abuse and assault, the accused



persons suddenly brought their truck and Pick-up Van and started driving it rashly with intention to kill the informant and others. In course of the incident, the informant's father namely, Dayanand Yadav and brother namely, Bipin Kumar was dashed by the truck due to which they succumbed to the injuries and died on the spot.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous enmity. He is not the owner or driver of the alleged vehicles. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He is languishing in judicial custody since 20.11.2023.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for bail.

6. From perusal of the F.I.R., impugned order dated 13.03.2024 passed by learned Sessions Judge, Jamui and other documents produced by learned counsel for the petitioner, it appears that on the basis of written report of the informant F.I.R. registered against nine accused persons including the present petitioner. The allegation against the petitioner is that on the alleged date of occurrence he along with other accused persons



by driving the alleged truck rashly ran over the deceased and killed them. There is no specific allegation against the petitioner. In the present case, two named co-accused persons namely, Santosh Kumar and Bipin Kumar have already been granted bail by learned trial Court whereas prayer of bail of co-accused namely, Pappu Kumar has been rejected by the said trial Court vide order dated 05.04.2024 passed in B.A. No. 280 of 2024 on the ground that the allegation against him is specific.

7. Considering the facts and circumstances of the case, submissions made on behalf of the petitioner and order dated 05.04.2024 passed by learned court of Sessions Judge, Jamui in B.A. No. 280 of 2024 as well as period of custody of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 681 of 2023.

(Ramesh Chand Malviya, J)

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