

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49065 of 2023

Arising Out of PS. Case No.-10 Year-2021 Thana- BARHARA KOTHI District- Purnia

1. Kundan Yadav @ Kundan Kumar Yadav S/O- Kumod Yadav Village- Mouzampatti @ Mauzampatti Bela Paemu Ps- Barhara Kothi Raghubansh Nagar Op Dist- Purnea
2. Md. Kallo @ Md. Kalim son of Md. Suleman @ Md. Tahir village- Mouzampatti @ Mauzampatti Bela Paemu Ps- Barhara Kothi Raghubansh Nagar OP Dist- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajnish Kumar Singh
For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2024 Heard learned counsel for the petitioners and

learned A.P.P appearing on behalf of the State.

The petitioners are languishing in custody in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 307, 302, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

The allegation in the F.I.R is that the informant along with her brother-in-law and husband were returning after visiting a doctor, when the accused persons confronted them and after knowing the identity



of her husband, it is alleged that co-accused Akhilesh Yadav, Bhushan Yadav and Nityanand Yadav opened fire which finally resulted into the death of her husband.

It is submitted by learned counsel for the petitioners that petitioners are innocent and they have falsely been implicated in this case. There is general and omnibus allegation against the petitioners and the specific allegation of firing upon the deceased is against Akhilesh Yadav, Bhushan Yadav and Nityanand Yadav who have been granted bail by different Benches of this Hon'ble Court vide orders dated 20.07.2022 and 03.08.2022 passed in Cr. Misc. Nos. 67627/2021, 5014/2022 and 15071/2022 respectively. The petitioners are languishing in custody since 02.03.2023. A statement has been made in para 3 of the petition that petitioner is accused in two other cases apart from the present one.

In contra, learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail of



the petitioners.

Considering the facts aforesaid and the period under custody, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional District Judge, Purnea in connection with Sessions Trial No. 201 of 2021 (arising out of Supplementary Barhara (Raghuvansh Nagar) P.S. Case No. 10 of 2021.

(Sunil Kumar Panwar, J)

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