

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64216 of 2024

Arising Out of PS. Case No.-352 Year-2023 Thana- SHEKHPURA District- Sheikhpura

1. Dipu Yadav @ Tipu Yadav Son of Anandi Yadav Resident of village - Kusumbha Tola Beghaiya Tola, P.S. Kusumbha, Dist.- Sheikhpura.
2. Anandi Yadav Son of Late Narayan Yadav Resident of village - Kusumbha Tola Beghaiya Tola, P.S. Kusumbha, Dist.- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajeev Kumar, Adv.
For the Opposite Party/s	:	Mr.Aditya Narayan Singh.1, APP
For the Informant	:	Mr.Dinkar Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioners, learned counsel for the informant and learned APP for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable u/s 302/34 of the IPC and section 27 of the Arms Act.

3. As per the prosecution case, all the F.I.R. named accused persons entered into the '*dalan*' of the informant and on the order of one Dev Yadav, Ramashish Yadav fired from the pistol upon the informant's husband, who died on the spot.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. There is general and omnibus allegation against the



petitioners and the specific allegation to fire upon the husband of the informant is against co-accused Ramashish Yadav. At best, petitioners can be said to be the members of the mob. Petitioner no.1 has two criminal antecedent and petitioner no.2 has one criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail by submitting that the petitioners are also involved in the alleged occurrence.

6. Having regard to the facts and circumstances of the case, since there is no specific allegation against the petitioners, 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. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sheikhpura (Kusumbha O.P.) P.S. Case No.352 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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