

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77846 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- MALI District- Aurangabad

SHANKAR YADAV S/O CHADRADEO YADAV R/O VILLAGE- BISAI,
P.S- MALI, DISTT.- AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 83382 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- MALI District- Aurangabad

CHANDRADEO YADAV Son of Late Ganauri Yadav R/o vill - Bisai, P.s. -
Mali, Dist. - Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 77846 of 2023)

For the Petitioner/s : Mr.Kamlendra Pd. Singh

For the Opposite Party/s : Mr.Ram Anurag Singh

(In CRIMINAL MISCELLANEOUS No. 83382 of 2023)

For the Petitioner/s : Mr.Kamlendra Pd. Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 16-01-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioner has prayed for bail in a case
instituted for the offence under Sections 302/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per allegation in the FIR, **on 22.8.2023**, accused



Guddu @ Niranjan Yadav was assaulting to the informant's nephew, who is mentally sick, and the same was protested by his father, Jagdish Yadav. Thereafter, accused Guddu with seven other accused laced with deadly weapon came again to the house of informant and Guddu opened fire with country made pistol on the back of his father resulting into his spot death by gunshot injury.

4. It is submitted by learned counsel for the petitioners that petitioners have been falsely implicated in this case. They have committed no offence. Specific allegation of opening fire is against Guddu @ Niranjan Yadav and not against these petitioners. At best, petitioner is said to be a member of the mob. Petitioner Chandra Dev Yadav is old man of 82 years. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 5.1.2024 passed in Cr. Misc. No. 82632 of 2023. Both the petitioners are of clean antecedent and languishing in judicial custody for about four months.

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

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 CJM-VI, Aurangabad or the concerned court in connection with Mali P.S. Case No.77 of 2023.

(Sunil Kumar Panwar, J)

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