

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79513 of 2023

Arising Out of PS. Case No.-81 Year-2023 Thana- SHANKARPUR District- Madhepura

1. ARUN YADAV S/O RAM CHANDRA YADAV VILLAGE- JIRWA,
WARD NO. 2, PS. SHIKARPUR, DIST. MADHEPURA
2. SURESH YADAV S/O RAM CHANDRA YADAV VILLAGE- JIRWA,
WARD NO. 2, PS. SHIKARPUR, DIST. MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-01-2024 Learned counsel for the petitioners is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in a case in connection with Shankarpur P.S. Case No. 81 of 2023 dated 18.05.2023 registered for the offences punishable u/ss 447, 341, 323, 385, 379, 307, 504 and 506 read with section 34 of the Indian Penal Code and 27 of the Arms Act.

4. As per the prosecution case, the petitioners and the co-accused persons along with 15-20 unknown persons are



alleged to have unloaded the brick on the land of the informant. On getting information, the informant went there and objected them, thereafter the accused persons started abusing them and on the exhortation of the co-accused Ramchandra Yadav, the petitioners and the co-accused Askhok Yadav opened fire but fortunately it missed. They also cut the bamboos of the informant. On getting information, police arrived and recovered empty cartridges, bamboos and tractor from there.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case due to land dispute. There is case and counter case between the parties. Learned counsel has further submitted that the petitioners are only the members of mob. The petitioners have no criminal antecedent as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Madhepura



in connection with Shankarpur P.S. Case No. 81 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

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