

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86293 of 2023

Arising Out of PS. Case No.-102 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Vidya Nand Yadav Son Of Late Yugeshwar Yadav Vill-Sukhasan, Ps-Simri Bakhtiyarpur, Saharsa
 2. Deva Nand Yadav @ Deo Son Of Late Yugeshwar Yadav Vill-Sukhasan, Ps-Simri Bakhtiyarpur, Saharsa
 3. Sanjay Yadav Son Of Late Yugeshwar Yadav Vill-Sukhasan, Ps-Simri Bakhtiyarpur, Saharsa
 4. Subhas Yadav Son Of Vidya Nand Yadav Vill-Sukhasan, Ps-Simri Bakhtiyarpur, Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rashmi Jha
For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-01-2024 Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners have filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 147, 148, 149, 341,

323, 307, 302, 504, 506 of the Indian Penal Code and

Section 27 of Arms Act.

As per allegation in the FIR, the informant

along with his brother Kajal Yadav, on a motorcycle,



went to see Jalkar. On reaching there, petitioners along with other co-accused persons surrounded them and on the order of co-accused Pankaj Yadav, co-accused Deepak Yadav fired upon informant's brother, Kajal Yadav. Thereafter, all the accused persons started firing upon him due to which informant's brother sustained fire arm injuries and later succumbed to injuries.

It is submitted by learned counsel for the petitioners that the petitioners are innocent and they have committed no offence. They have falsely been implicated in the present case. There is general and omnibus allegation against the petitioners rather the specific allegation of firing is attributed against co-accused Deepak Yadav. There is inordinate delay of 2 days in lodging the F.I.R. Nothing incriminating has been found from the possession of the petitioners. Moreover, the petitioners are languishing in judicial custody since 01.08.2023.

Learned APP appearing for the State has



vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Kusheshwar Asthan P.S. Case No. 102 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Biraul, Darbhanga.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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