

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86339 of 2023

Arising Out of PS. Case No.-132 Year-2022 Thana- KUSHESHWARASTHAN District-
Darbhanga

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1. Ajay Yadav Son Of Late Ram Kishun Yadav Resident Of Village- Jhajha Ps
- K. Asthan, Dist- Darbhanga
 2. Siya Ram Yadav Son Of Late Yadu Yadav Resident Of Village- Jhajha Ps -
K. Asthan, Dist- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-03-2024 Heard learned counsel for the petitioners and the
State.

2. Petitioners seek regular bail in connection with K.
Asthan P. S. Case No. 132/2022 in a case registered for the
offences punishable under Sections 302, 385/34 of the Indian
Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, these petitioners along
with other accused persons committed murder of the husband of
the informant with fire arms.

4. Learned counsel for the petitioners submits that
petitioners are innocent and have falsely been implicated in this
case. Allegation against these petitioners is general and



omnibus. Petitioners are in custody since 15.06.2023.

5. Learned A.P.P. for the State vehemently opposes the bail application and submits that petitioner No. 2 is alleged to have fired upon the husband of the informant as a result of which he died on the spot.

6. Considering the fact that allegation against petitioner No. 1 is general and omnibus, the bail application with respect to petitioner No. 1 is allowed. Let the above named petitioner No. 1 be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Biraul, Darbhanga in connection with K. Asthan P. S. Case No. 132 of 2022.

7. However, since as per the F.I.R. petitioner No. 2 is one of the assailants who caused fire arms injury on the husband of the informant resulting in this death, the bail application with respect to the above named petitioner No. 2 is refused.

(Prabhat Kumar Singh, J)

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