

IN THE HIGH COURT OF JUDICATURE AT PATNA  
 Cr.Misc. No.25881 of 2008  
**BHOLA YADAV**  
 Versus  
**STATE OF BIHAR**  
 WITH  
 Cr.Misc. No.24912 of 2008  
**NAGENDRA YADAV**  
 Versus  
**STATE OF BIHAR**  
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2/ 31.07.2008

Since both the above bail applications have arisen out of one Ekangar Sarai P.S. Case No. 30 of 2008 they have been heard together and are being disposed of by this common order.

The case has been registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act against the named accused.

The informant is widow of deceased of the case. She has alleged that due to enmity her husband was killed by the named accused. The informant is not eye witness of the occurrence and she knew it through others.

From the impugned order of Bhola Yadav passed by First Additional Sessions Judge, Hilsa, Nalanda it appears that he has perused the case diary and according to it in the whole case diary there is no witness of the occurrence. The previous enmity is there.

Learned Counsel for the informant appeared and is not in a position to say as to whether the observation of the Sessions Judge in the impugned order regarding bail petition of Bhola Yadav is incorrect.

Considering the facts and circumstances of the case, the petitioners Bhola Yadav (in Cr. Misc. No. 25881 of 2008) and Nagendra Yadav (in Cr. Misc. No. 24912 of 2008) are ordered to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two

sureties of the like amount each to the satisfaction of the Additional Chief  
Judicial Magistrate, Hilsa, Nalanda in connection with Ekangar Sarai P.S.  
Case No. 30 of 2008.

*kksinha/*

**(Shyam Kishore Sharma, J.)**

