

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14782 of 2015

Arising Out of PS.Case No. -395 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

1. Naresh Yadav
2. Dinesh Yadav
3. Mahesh Yadav Sons of Palat Yadav, All resident of village -
Ghorghatta, P.S. Bahadurpur, District - Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.16662 of 2015

Arising Out of PS.Case No. -395 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

Sanjay Yadav Son of Shiv Tahal Yadav, resident of village - Ghorghatta,
P.S. Bahadurpur (Feklao OP), District - Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.19683 of 2015

Arising Out of PS.Case No. -395 Year- 2014 Thana -BAHADURPUR District- DARBHANGA

Surendra Yadav. Son of Sri Ram Bahadur Yadav, Resident of village -
Ghorghatta, P.S.- Bahadurpur (O.P. Fekla), District - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.14782 of 2015)

For the Petitioner/s : Mr. Vishwanath Prasad Singh, Sr. Adv.
Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sadanand Paswan, Spl. APP
(In Cr.Misc. No.16662 of 2015)

For the Petitioner/s : Mr.A.K. Thakur
Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Sadanand Paswan, Spl. APP
(In Cr.Misc. No.19683 of 2015)

For the Petitioner/s : Mr. A. K. Thakur
Mr. Amit Kumar

For the Opposite Party/s : Mr. Sadanand Paswan, Spl. APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 28-05-2015

All the above three bail petitions arise out of a common police station case. Therefore, they have been heard together and are being disposed of by this common order.

The petitioners of all the three bail petitions seek bail in a criminal prosecution registered under Sections 147, 148, 149, 364, 302 of the Indian Penal Code as also under Section 3(2) (v) of the Scheduled castes and Scheduled Tribes (Prevention of Atrocities), Act.

Though all the petitioners, besides others, are named in the F.I.R. vide Annexure-1 of each bail petitions, as accused, but taking into consideration the fact that the allegations against all of them are general and omnibus in nature and all of them are alleged to have kidnapped the father of the informant on 01.12.2014, whereafter he was assaulted, but on arrival of the villagers, all of them are alleged to have fled away leaving the father of the informant in an injured condition, whereafter he was taken to P.M.C.H. for treatment where he is said to have died during the course of treatment, their prayer for bail is allowed. The petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 395 of 2014, subject to the conditions that:

- (A) One of the bailors of all the petitioners shall be government servant,
- (B) Other bailor shall be either their family members or their relation,
- (C) if the petitioners are found involved in same and similar nature of cases in future, then in that case

the informant/ prosecution shall be at liberty to file a petition for cancellation of the bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned and

(D) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every dates, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bonds of the petitioners.

(Birendra Prasad Verma, J)

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