

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26873 of 2014

Arising Out of PS.Case No. -191 Year- 2014 Thana -SUPAUL District- SUPAUL

1. Santosh Yadav, son of Hareram Yadav
2. Chhotu Yadav @ Ram Kumar Yadav, son of Late Thakko Yadav
Both are residents of Mohalla - Braham Asthan, Ward No.16, Supaul, P.S.
Supaul, District - Supaul

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioners : Mr. Nagendra Kumar Singh, Advocate
For the State : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 05-08-2015 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 223, 332, 337, 353, 431 of the Indian Penal Code and Section 34 of the Damage of Public Property Act registered in connection with Supaul P.S. Case No. 191 of 2014.

3. It is submitted that the petitioners have been falsely implicated in a case involving 500 persons protesting the killing of one Rabindra Rai supposedly on the basis of video footage.

4. A perusal of the case diary with assistance of the learned APP does not appear to have any specific overt act

against the petitioners of having indulged in assault or damaging the railway property.

5. In that view of the matter, the provisional bail granted to the petitioners by order dated 07.11.2014 pending in the Court of learned Chief Judicial Magistrate, Supaul, in connection with Supaul P.S. Case No.191 of 2014 stands confirmed, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) The petitioners shall cooperate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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