

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39240 of 2015

Arising Out of PS.Case No. -52 Year- 2014 Thana -MUNGER MUFFASIL District- MUNGER

1. Neeraj Yadav, son of Anil Yadav,
2. Raja Yadav, son of Krishnanand Yadav, Both resident of village-
Tikarampur Bihari Marar Tola, P.S.- Muffasil, Distt- Munger.
..... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. N K Agrawal, Sr. Advocate

For the Opposite Party/s : Mr. Ganesh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 28-09-2015

Heard learned counsel for the petitioners and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail
arises out of Muffasil PS Case No. 52 of 2014, disclosing
offences under Sections 429 and 436/34 of the Indian Penal Code.

Learned Senior Counsel appearing on behalf of
the petitioners contends that there is apparent contradiction in the
first information report wherein, in one hand it has been alleged
that after having felt the smell of fire, the informant came out of
his house and saw the petitioners setting his *basa* on fire. He has
stated that out of certain personal grudge, the present FIR has
been instituted. He also submits that there is no chance of the
petitioners tampering with the evidence.

In view of the nature of allegation and the submission aforesaid, this application is allowed.

Let the petitioners above named, in the event of their arrest or surrender before the Court below within six weeks from today, 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 learned Sub Divisional Judicial Magistrate, Munger in Muffasil PS Case No. 52 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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