

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49910 of 2014

Arising Out of PS.Case No. -23 Year- 2014 Thana -PARASBIGHA District- JEHANABAD

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1. Suresh Yadav S/o Late Ram Ekwval Yadav
2. Lokesh Yadav S/o Late Ram Ekwval Yadav Both R/o Village Oyena,
Lakhapur, P.S. Parabigha, District Jehanabad Bihar

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Ranjeet Tiwary

For the Opposite Party : Mr. Atul Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

4 30-06-2015

The present application, in view of the previous order, survives only in respect of petitioner no.2, namely Lokesh Yadav.

Heard both sides.

The petitioner No.2 is apprehending his arrest in connection with Parasbigha P.S. case no. 23 of 2014, registered under diverse penal provisions of the IPC including Section 307 of the IPC.

The allegation is that when the informant was closing the shop two accused persons including the petitioners and their son came on to the shop and indiscriminately assaulted the informant with iron rod and lathi.



It has been submitted that there is counter version also in the shape of a case lodged by Suresh Yadav (Annexure-4) wherein he is also received injury at the hands of the present informant. Referring to the injury report, it has been stated that the doctor found injury on the head caused by sharp cutting weapon which is found to be simple in nature. The other co-accuseds of the present case have since been released on anticipatory bail by the learned Court below.

Petitioner No.2 has no criminal antecedent.

Considering the factual background of the case, I am persuaded to extend the privilege of anticipatory bail to the petitioner No.2. Let the petitioner No.2, namely, Lokesh Yadav, in the event of his arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jehanabad in connection with Parasbigha P.S. case no. 23 of 2014, subject to the condition as laid down under Section 438(2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the

petitioner.

- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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