

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.122 of 2015

Arising Out of PS.Case No. -49 Year- 2012 Thana -HULASGANJ District- JEHANABAD

1. Shailendra Yadav, son of late Lakhan Yadav
2. Sonu Yadav, son of Bindeshwari Yadav
Both resident of village Tulli Bigha, P.S. Hulasganj, Distt. Jehanabad.
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Adv.
For the State : Mr. Dr. Ravindra Kumar, (APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 08-01-2015 Heard learned counsel for the Petitioners and the

State.

The Petitioners apprehend their arrest in a case
instituted for the offence under Section(s) 147, 323, 341, 307, 504,
379 of the Indian Penal Code and Section 27 of the Arms Act.

Considering that there is an allegation against the
Petitioner No. 1 of having fired, I am not inclined to extend the
privilege of anticipatory bail to the Petitioner No. 1 namely,
Shailendra Yadav.

The prayer for anticipatory bail against the Petitioner
No. 1 is rejected.

As for Petitioner No. 2, in view of the nature of
allegation against him, it is ordered that in the event of
surrender/arrest of the Petitioner No. 2, namely, Sonu Yadav,



within four weeks from the date of receipt/production of a copy of this order, in connection with Hulasganj P.S. Case No. 49 of 2012, shall be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (Five thousand) with two sureties of the like amount each or any other surety to be fixed by the Court below to the satisfaction of Shri Deshmukh, Judicial Magistrate, 1st Class, Jehanabad, subject to the conditions as laid down under Section 438(2) Cr. P.C. and (i) That one of the bailors will be a close relative of the Petitioner who will give an affidavit giving genealogy as to how he is related with the Petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the Petitioner. (ii) That the affidavit shall clearly state that the Petitioner is not an accused in any other case and if he is, he shall not be released on bail. (iii) That the bailor shall also state on affidavit that he will inform the court concerned if the Petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse. (iv) That the Petitioner will give an undertaking that he will receive the police papers on the given date and be present on date fixed for charge and if he fails to do so on two given dates and delays the trial in any manner, his bail will be

liable to be cancelled for reasons of misuse. (v) That the Petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

S.Ali/-

U		T	
---	--	---	--

(Anjana Prakash, J)