

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39181 of 2015

Arising Out of PS.Case No. -49 Year- 2015 Thana -

VIJAYPUR District- GOPALGANJ

=====

1. Gulab Yadav, Son of Sabru Yadav

2. Shailesh Yadav, Son of Gulab Yadav

3. Radheshyam Yadav, Son of Gulab Yadav

All resident of Village- Bijaipur, P.S.- Bijaipur, District-
Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ghulam Rabbani, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Roy, A.P.P.

=====

**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 Bijaipur P.S. Case No.49 of 2015,
disclosing offences under Sections 341, 323, 324, 379,
307, 504 and 509/34 of the Indian Penal Code.

Learned counsel, appearing on behalf of the



petitioners, submits that the present case is counter blast of the case earlier instituted by petitioner no.1, bearing Bijaipur P.S. Case No.48 of 2015, making specific allegation of assault against the informant's son. He submits that the injury report does not support the prosecution case and the son of the informant, who is said to have sustained injuries, did not present himself before the doctor for the purpose of arriving at a final conclusion as regards the nature of injuries. It is stated that there is no criminal antecedent of the petitioners.

Considering the submission as above, this application is allowed to the extent it relates to petitioner Nos.2 and 3, as it has been pointed out by learned counsel, appearing on behalf of the petitioners, that petitioner No.1, namely, Gulab Yadav, has been arrested during the pendency of this application and his prayer for anticipatory bail has become infructuous. Let the petitioner Nos.2 and 3, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of **learned Judicial**

Magistrate, Ist Class, Gopalganj in connection with **Bijaipur P.S. Case No.49 of 2015**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner Nos.2 and 3 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.)

Praveen-II/-

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