

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49088 of 2015

Arising Out of PS.Case No. -320 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

1. Jaswant Yadav Son of Mukhari Yadav resident of Village- Didkhili,
Police Station- Mohania, District- Kaimur (Bhabua).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.49622 of 2015

Arising Out of PS.Case No. -320 Year- 2015 Thana -MOHANIA District- BHABHUA (KAIMUR)

1. Parmendra @ Arvind Son of Girdhari Resident of Village- Dirkhili, P.s
Durgawati, District Kaimur(Bhabua)

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.49088 of 2015)

For the Petitioner/s Mr. Sada Nand Ray

For the Opposite Party/s : Mr. S.M.Rahman(App)

(In Cr.Misc. No.49622 of 2015)

For the Petitioner/s Mr. Vinod Kumar Seth

For the Opposite Party/s : Mr. Jagdhar Prasad(App)

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 03-11-2015

Heard the Counsels for the petitioners in both the
cases which arise out of Mohania P.S. Case No. 320 of 2015 and
the APP for the State.

Petitioners along with several others named accused
as well as unknown have been named in the F.I.R. lodged by the
informant vide Mohania P.S. Case No. 320 of 2015. The
allegation in brief is that when the informant, who is a government

servant with other officials went to check post near Karmnasa, he found one truck on the side of the road. When enquiry was made, it is said that the driver of the other trucks and other villagers assembled there and started abusing and pelting stones causing injury to one security personnel.

It has been stated that some of the other accused persons who were similar named in the First Information Report have since been released on anticipatory bail by this Court under order dated 16.10.2015 passed in Cr. Misc. No. 48015 of 2015 a web copy of which has been handed in by the Counsel for the petitioners which is taken on record and marked 'Y' for identification.

Counsel for the State is unable to dispute the aforesaid fact.

Considering the above, in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in Mohania P.S. Case No. 320 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

Pankaj/-

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