

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36408 of 2014

Arising Out of PS.Case No. -110 Year- 2013 Thana -BABUBARHI District- MADHUBANI

- =====
1. Kapleshwer Yadav @ Kapileshwer Kamal Son of Late Khaneshwer Yadav @ Khaneshwer Prasad Resident of Village - Majhab, P.S. - Babubarhi, District - Madhubani.
 2. Mahendra Yadav Son of Late Jeebachh Yadav Resident of Agari North Tole Majhau, P.S. - Babubarhi, District - Madhubani.
 3. Yogendra Yadav Son of Late Jeebachh Yadav Resident of Village - North Tole, Majhau, P.S. - Babubarhi, District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan(Spl.P.P.)

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CORAM: HONOURABLE MR. JUSTICE AKHILESH CHANDRA
ORAL ORDER

2 11-02-2015 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

All the petitioners, who apprehend their arrest in connection with a case registered for the offence punishable under Sections 341, 323, 354, 504, 120B,34 of the Indian Penal Code and 3(x) of the SC/ST Act, are named accused in this case.

After some arguments, learned counsel for the petitioner seeks permission to withdraw this application only with respect to petitioner no.1, Kapleshwer Yadav @ Kapileshwer Kamal with a liberty to surrender before the court below within a fortnight for a prayer of regular bail, which shall be considered on its own.

Permission is granted.

Accordingly, this application stands disposed of as

withdrawn with respect to petitioner no.1 only.

So far as petitioner nos. 2 and 3 are concerned, though they named but carry general and omnibus allegation. **Further they carry no criminal antecedent except Babubarhi P.S. Case No. 67 of 2007, wherein they are on bail.**

If it is so, in the event of their arrest or surrender before the court below within four weeks, let the petitioners abovenamed (except petitioner no.1) be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand only) each with two sureties of the like amount each to the satisfaction of **Chief Judicial Magistrate, Madhubani**, in connection with **Babubarhi P.S. Case No.110 of 2013**, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure with additional condition to remain physically present before the court below on each and every date at least for two years or till disposal of the case, whichever is earlier and in case of failure on two consecutive dates without giving any reasonable explanation, the liberty granted shall be deemed to be cancelled.

(Akhilesh Chandra, J)

Ashwini/-

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