

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45848 of 2014

Arising Out of PS.Case No. -194 Year- 2014 Thana -SAHEBPUR KAMAL District- BEGUSARAI

1. Ram Badan Yadav Son of Late Balo Yadav
2. Barun Yadav
3. Setho Yadav Both sons of Ram Badan Yadav All resident of Village -
Heera Tol, P.S. - Sahebpur Kamal, District - Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhim Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, App

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 10-04-2015 Heard learned counsel for the Petitioners and the State.

The Petitioners seek bail in a case instituted for the offence under Section(s) 160/307/34 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel for the petitioners submits that petitioner no. 1 has been arrested and therefore his application has become infructuous.

It has been submitted that no injury was sustained by either of the parties and apart from two other connected cases, the petitioners are not accused in any other case.

Considering such submissions, in the event of surrender/arrest of the Petitioners no. 2 and 3, within four weeks



from the date of receipt/production of a copy of this order in connection with Sahebpur Kamal P.S. Case No. 194 of 2014 they shall be released on **anticipatory bail** on furnishing bail bond of Rs.5,000/- (five thousand) each with two sureties of the like amount each or any other surety to be fixed by the court below to the satisfaction of the Chief Judicial Magistrate, Begusari subject to the conditions as laid down under sections 438(2) Cr. P. C. and subject to the conditions (i) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailors will undertake to furnish information to the court about any change in the address of the petitioners, (ii) that the bailors shall also state on affidavit that they will inform the court concerned if the petitioners are implicated in any other case of similar nature after their 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,(iii) that the petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse, and (iv) that the petitioners will be well represented on each date and if they

fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Anjana Prakash, J)

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