

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45973 of 2015

Arising Out of PS.Case No. -118 Year- 2015 Thana -RAXAUL District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Pramod Yadav Son of Girendra Yadav,
 2. Kamlesh Yadav @ Kamesh Yadav son of Girendra Yadav,
 3. Girendra Yadav, son of Late Lal Bahadur Yadav,
 4. Vashishth Yadav @ Vashisth Rai Yadav Son of Late Lal Bahadur Yadav
 5. Upendra Yadav Son of Late Lal Bahadur Yadav
 6. Wakil Yadav Son of Late Lal Bahadur Yadav
 7. Byash Yadav Son of Late Lal Bahadur Yadav
 8. Vikash Yadav son of Vashishth Yadav
 9. Anish Yadav son of Vashishth Yadav
 10. Prabhu Yadav son of Vashishth Yadav
 11. Raj Karan @ Raj Karan Yadav Son of Prabhu Yadav,
 12. Ramnath Yadav Son of late Sunar Yadav
 13. Sanjay Yadav son of Ramnath Yadav,
 14. Manjay Yadav son of Ramnath Yadav,
- All resident of village Sitalpur Jokiari, P.S. Raxaul, district- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Tiwari, Adv
For the Opposite Party/s : Mr. Meena Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 03-11-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against
the petitioners for the offences punishable under
Sections- 147, 148, 149, 307, 323, 324, 341 and 506 of
the Indian Penal Code and that there is omnibus
allegation against all the petitioners except petitioner no.



2, Kamlesh Yadav, petitioner no. 4, Vashishth Yadav, petitioner no. 10, Prabhu Yadav, petitioner no. 9, Anish Yadav, who are said to have assaulted either with Farsa on Suresh Yadav or by Rod on Jaggi Devi and Sushila Devi, this Court while rejecting the prayer for anticipatory bail of petitioner no. 2, Kamlesh Yadav, petitioner no. 4, Vashishth Yadav, petitioner no. 10, Prabhu Yadav, petitioner no. 9, Anish Yadav, would find rest of the petitioners entitled for privilege of anticipatory bail.

That being so, if the petitioners, namely, **Pramod Yadav, Girendra Yadav, Upendra Yadav, Wakil Yadav, Byash Yadav, Vikash Yadav, Raj Karan Yadav, Ramnath Yadav, Sanjay Yadav and Manjay Yadav**, surrender within a period of four weeks from today, they would be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **S.D.J.M. Raxaul, East Champaran** in connection with



Raxaul P.S. Case No. 118 of 2015, subject to the conditions laid down under Section- 438 (2) Cr. P.C and also subject to the following conditions:-

(i) That both the bailors will be close relative of the petitioners who will give an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the Court if there is 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 their 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 the date fixed

for charge and if they fail to do so on two given dates and delays the trial in any manner, their bail will be liable to be cancelled for reasons of misuse.

(iv) That the petitioners will be well represented on each and every date of trial and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

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