

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36331 of 2014

Arising Out of PS.Case No. -681 Year- 2013 Thana -SAHARSA District- SAHARSA

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1. Fulichand Yadav son of late Dukha Yadav
 2. Harichand Yadav @ Harichandra Yadav son of late Dukha Yadav .
 3. Saroj Yadav Son of Lakhichand Yadav
 4. Raj Kumar Yadav son of Harishchandra Yadav
 5. Chandra Kishore Yadav @ Chandra Kishore @ Khatar Yadav son of Bipat Yadav .
 6. Biyash Yadav son of late Mahadeo Yadav
 7. Bijo Yadav @ Bijendra Yadav son of late Sahdeo Yadav .
 8. Rabindra Yadav son of Kamal Kishore @ Keso Yadav
 9. Abiran Yadav @ Akiran Yadav Son of Kamal Kishore @ Keso Yadav.
 10. Asho Yadav @ Ashok Yadav son of late Gorelal Yadav .
 11. Sanjeet Yadav son of Asho Yadav
- All resident of village - Simraha, (Rajbara) Police Station Saharsa District- Saharsa .

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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with

Criminal Miscellaneous No.43747 of 2014

Arising Out of PS.Case No. -681 Year- 2013 Thana -SAHARSA District- SAHARSA

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Bhumneshwari Yadav @ Bhuneshwar Pd. Yadav Son of late Dukha Yadav
Resident of Simraha Tola, Rajwara, P.S.+District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.36331 of 2014)

For the Petitioner/s : Mr. Viveka Nandsingh, Adv.

For the Opposite Party/s : Mr. Arun Kr. Panday (APP)

(In Cr.Misc. No.43747 of 2014)

For the Petitioner/s : Mr. Neeraj Kumar, Adv.

For the Opposite Party/s : M/s Rina Sinha(APP)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 20-02-2015

Having regard to the fact that the petitioners in both these cases face prosecution for offence under Sections 147, 148, 149, 323, 341, 504, 307 of the Indian Penal Code and Section 27 of the Arms Act and that not only there is omnibus allegation against all of them but even injury report has been submitted by the doctor after eleven days of the alleged examination of the sole injured person, this Court would direct that if the petitioners, namely, Fulichand Yadav, Harichand Yadav @ Harichandra Yadav, Saroj Yadav, Raj Kumar Yadav, Chandra Kishore Yadav @ Chandra Kishore @ Khatar Yadav, Biyash Yadav, Bijoy Yadav @ Bijendra Yadav, Rabindra Yadav, Abiran Yadav @ Akiran Yadav, Asho Yadav @ Ashok Yadav and Sanjeet Yadav of Cr. Misc. No. 36331 of 2014 and Bhumneshwari Yadav @ Bhuneshwar Pd. Yadav of Cr. Misc. No. 43747 of 2014 surrender before the court below within a period of four weeks from today, the court below shall grant bail to the petitioners on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 681 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to the following conditions namely:-

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- (i) That both the bailors will be a close relative of the petitioners, who will undertake 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 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 be well represented on each and every date in course 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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