

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36886 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -BYPASS District- PATNA

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1. Bajrangi Yadav
2. Sohan Yadav
3. Deepak Yadav
4. Chandan Yadav @ Chandan Kumar
5. Pawan Yadav @ Pawan Kumar all sons of Yogendra Yadav
6. Yogendra Yadav, S/o Late Moji Yadav, all residents of Mohalla-Ranipur
Paijawa. P.S. Bypass, Distt- Patna

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mrs. Nirmala Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 10-09-2015 Heard learned counsel for the petitioners and learned
Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out
of Bypass P.S. Case No. 31 of 2015 disclosing offences under
Sections 341, 323, 325, 354, 307, 504/34 of the Indian Penal
Code.

Petitioner nos. 1 to 5 are sons of petitioner no. 6. All of
them have been implicated in Bypass P.S. Case No. 31 of 2015,
registered under Section 156(3) of the Code of Criminal
Procedure, on the basis of complaint petition filed by the
complainant/informant.

Learned counsel appearing on behalf of the petitioners

has submitted that the prosecution case, as narrated in the complaint petition, is highly improbable as it is unbelievable that father and his sons, together would commit the nature of offence as alleged. He has further submitted that because of the dispute between the parties for passage, the present false F.I.R. has been got instituted with incorrect facts, out of vengeance.

Considering the aforesaid submission, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna City in connection with Bypass P.S. Case No. 31 of 2015 subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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