

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13015 of 2016

Arising Out of PS.Case No. -293 Year- 2014 Thana -PARWATTA District- KHAGARIA

=====

1. Dev Nandan Yadav Son of Late Yugal Yadav
2. Krishna Murari Yadav Son of Sakaldeo Yadav
3. Niraj Yadav alias Chhotu Yadav Son of Dev Nandan Yadav All
Residents of Village Muradpur, Police Station Parbatta, District Khagaria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh

For the Opposite Party/s : Mr. U.L.Verma (App)

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 18-04-2016 Heard Mr. Vivekanand Singh, the counsel for the

petitioners, Mr. Bharat Bhushan, the counsel for the informant as

also U.L. Verma, A.P.P. for the State.

The three petitioners herein seek anticipatory bail in

Parbatta P.S. Case No. 293 of 2014, registered under Sections

341, 323, 504, 506, 448, 307, 427/34 of the Indian Penal Code.

The petitioner no. 1 is father of the petitioner no. 3 and

uncle of petitioner no. 2. It is stated that all petitioners have been

named in the First Information Report alleging that on the date of

occurrence, they arrived at the house of the informant armed with

fire weapons and entered into the house and ransacked.

Petitioner no. 2 opened fire which did not hit anyone. It is

further stated that the petitioner no. 1 is aged about 72 years.

Even as per FIR, he was standing outside the house while other

accused(s) entered into the house and committed the offence. Indisputably, no injury was caused.

The counsel for the State as well as the informant opposed the prayer and submitted that during investigation witnesses have supported the prosecution case. Certain empty cartridges were also recovered from the place of occurrence.

Considering the facts and circumstances of the case, I am not persuaded to extend the privilege of anticipatory bail to petitioner nos. 2 and 3. Their prayer for anticipatory bail stands rejected. They shall surrender and seek regular bail, which shall be disposed of unprejudiced by the present order.

In so far as the petitioner no. 1 is concerned, in the event of arrest/surrender within four weeks from today, he be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount to the satisfaction of learned A.C.J.M, Khagaria in Parbatta P.S. Case No. 293/2014 on condition that one of the bailors shall be his own/close family member. The petitioner shall appear on each date fixed at the trial. In case of default in appearance on two consecutive dates, the trial court shall have liberty to cancel his bail bonds.

(Kishore Kumar Mandal, J)

rohit/-

U		T	
---	--	---	--