

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22612 of 2016

Arising Out of PS.Case No. -5 Year- 2016 Thana -MAUZAHAIDPUR District- BHAGALPUR

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1. Tuntun Yadav @ Santosh Yadav
2. Sahdeo Yadav, Both Sons of Ajab Lal Yadav Resident of Village
Maheshpur, P.S. Babarganj District Bhagalpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance:

For the Petitioner/s : Mr. Shiwesh Chandra Mishra
For the Opposite Party/s : Mr. Ashok Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 25-05-2016 Heard the learned counsel for the petitioners as well

as the learned A.P.P for the State.

The petitioners seek bail in connection with
Mojahidpur (Babarganj) P.S. Case No. 05 of 2016 registered for
the offences pun
ishable under Sections 447, 504, 506, 427 and 307/34 of the
Indian Penal Code and Section 34 of Explosive Substance Act.

Allegedly, the petitioners were abusing and the
informant saw from window that the petitioner Tuntun Yadav
threw bomb which damaged the door of the house of the
informant and thereafter both fled away. Earlier the petitioner
Sahdeo Yadav had also threatened the informant.

Submission is of false implication and that no
injury has been caused to the informant, due to earlier dispute,
petitioners have been implicated, no offence under Section 307 of

the Indian Penal Code is made out and, as such, the petitioners who are suffering in custody since 23.01.2016 deserve sympathetic consideration.

The learned APP submits that the petitioners have been made accused in Mojahidpur (Babarganj) P. S. Case No. 12 of 2016 registered under Sections 25(1-b)A, 26 and 35 of the Arms Act.

In the facts and circumstances stated above, considering no injury has been caused to anyone and chargesheet has already been submitted and, as such, the petitioners are directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur (Babarganj) P.S. Case No. 5 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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