

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43380 of 2016**

Arising Out of PS.Case No. -154 Year- 2015 Thana -KISHUNPUR District- SUPAUL

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1. Upendra Pd. Yadav @ Upendra Yadav @ Upendra Prasad Yadav  
2. Bhupendra Pd. Yadav @ Bhupendra Yadav @ Bhupendra Prasad Yadav  
Sons of Prayag Yadav Resident of Village-Chikani, Police Station-Kisnpur,  
District-Supaul

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. Ajay Kr I(App)

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI**  
**SHARAN SINGH**  
ORAL ORDER

2      26-10-2016      Heard the parties.

This application, for grant of anticipatory bail, arises out of Kisanpur P.S. Case No. 154 of 2015, disclosing offences under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

Learned counsel for the petitioners, has submitted that the police on completion of investigation, submitted police report, whereby, other co-accused persons have been charge-sheeted, but not these petitioners. He has further submitted that the Court below while taking cognizance of the offences punishable under Sections 341, 328, 325 read with Section 34 of the Indian Penal Code has issued summonses to these petitioners also. According to

him, since the investigation is complete, no tangible purpose would be served, if these petitioners are taken into custody.

I find substance in the submissions advanced on behalf of the petitioners and, accordingly, this application for anticipatory bail 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 bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Supaul, in connection with Kishanpur P.S. Case No. 154 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 bond shall be liable to be cancelled.

**(Chakradhari Sharan Singh, J)**

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