

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11691 of 2016

Arising Out of PS.Case No. -263 Year- 2015 Thana -SALKHUA District- SAHARSA

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1. Ramdeo Yadav, S/o late Raghuvar Yadav
2. Pankaj Yadav @Vijay Sanyal
3. Jay Shankar Yadav
Both Sons of Sikandar Yadav
4. Makendra Yadav @ Laddu
5. Dezi @ Jago Yadav @ Jajji Yadav
Both Sons of Ramdeo Yadav
All R/oVill- Rasalpur , O.P. Banma Itahari, P.S. Salkhua, Distt. Saharsa.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma
For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 17-03-2016

Heard.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 307/149 and some other allied offences under the Indian Penal Code as also under Section 27 of the Arms Act.

Though the petitioners are named in the FIR vide Annexure-1 as accused persons, but taking into consideration the fact that nobody had sustained any injury at the hands of the accused persons and further taking into consideration the fact that both sides are on inimical terms from before on account of pending land dispute, this Court is inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail. Accordingly, their prayer for grant of anticipatory bail is allowed.

In the event of their arrest or surrender in the court below within a period of four weeks from today, let the above named petitioners be enlarged on bail on furnishing bail bond of

Rs. 25,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Salkhua (Banma Itahari OP) P.S. Case No. 263 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C. and subject to further conditions that:

- (A) One of the bailors shall be government servant
- (B) other bailor shall be either family members or close relation of the petitioners, who will file an affidavit in the court below showing his/her relationship with the petitioners,
- (C) if the petitioners are found involved in same and similar nature of cases in future, then in that case the informant/prosecution shall be at liberty to file a petition for cancellation of bail of the petitioners, and if such a petition is filed, the court below would be obliged to dispose of the same in accordance with law after giving opportunity of hearing to all concerned;
- (D) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in person or through representation by their lawyer on each and every date, and if on two consecutive dates petitioners fail to make pairvi, then the court below shall be at liberty to cancel the bail bond of the petitioners.

Arvind/-

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(Birendra Prasad Verma, J)