

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13485 of 2016

Arising Out of PS.Case No. -186 Year- 2015 Thana -JHAJHA District- JAMUI

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1. Baban Yadav son of Mahabir Yadav.
2. Baiju Yadav son of Mahabir Yadav.
both are resident of Village Dhiwa, P.S. Jhajha, District Jamui.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate
For the Opposite Party/s : Dr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 08-04-2016 Heard the parties.

The petitioners apprehend their arrest in a criminal prosecution registered under Sections 307, 379, 354A and some other allied offences under the Indian Penal Code.

Though, the petitioners, besides others, are named in the first Information Report vide Annexure-1 as accused, but taking into consideration the fact that there appears to be a case and a counter case vide Annexures- 1 and 2 respectively from both sides and the case lodged by petitioner no.2 was earlier, whereafter the present case vide Annexure-1 was lodged, and also taking into consideration the fact that the persons from both sides have received certain injuries on their persons and further taking into consideration the fact that the petitioners are also said to have sustained injuries on their persons vide Annexure 4 series, this Court is inclined to accede to the prayer made on behalf of the petitioners for grant of anticipatory bail.

In the event of their arrest or surrender in the court below within a period of four weeks from today, let the above

named two petitioners be released on bail on furnishing bail bonds of Rs.25,000/-(Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jamui in connection with Jhajha P.S.Case No. 186 of 2015, subject to conditions laid down under Section 438 (2) of the Cr.P.C. and subject to the further conditions that :

(A) one of the bailors of each petitioners must be government servant or close family member of the petitioners who will file an affidavit in the court below showing his/her relationship with the petitioners,

(B) 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, and

(C) the petitioners shall make regular pairvi in the court below in the present case either by appearing themselves in persons or through representation by their lawyer on each and every dates, 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.

(Birendra Prasad Verma, J)

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