

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27553 of 2015

Arising Out of PS.Case No. -17 Year- 2015 Thana -SRINAGAR District-
WESTCHAMPARAN(BETTIAH)

=====

1. Pappu Yadav Son of Vishwanath Yadav Resident of Village-
Bhawanipur, Police Station - Shrinagar(Pujahan) District West Champaran.
2. Sanjay Yadav son of Indal Yadav Resident of Village- Bishambharpur,
Police station Nautan, District West Champaran.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. Awadhesh Kumar Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 28-04-2016 Heard the learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the alleged
offences under Sections 302, 201, 120B and 34 of the Indian Penal Code
registered in connection with Shrinagar Pujahan P.S. Case No. 17 of 2015.

3. It is submitted that the petitioners have been falsely
implicated on mere suspicion. It is further submitted that the petitioner
no. 2 is not named in the FIR and his name has surfaced only in course of
investigation.

4. Learned APP on the basis of para 125 of the case diary
states that the petitioner no. 1 is absconding and processes have been
issued against him.

5. In that view of the matter, this Court is not inclined to grant
the privilege of anticipatory bail to the petitioner no. 1 and his bail

petition stands dismissed.

6. As regards petitioner no. 2, in absence of any specific material pointed out in the case diary the provisional anticipatory bail granted to the petitioner no. 2 by order dated 27.07.2015 pending in the Court of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Shrinagar Pujahan P.S. Case No. 17 of 2015 is hereby confirmed subject to the following further conditions:

- (i) The petitioner no. 2 shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- (ii) The petitioner no. 2 shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Chandran

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