

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26336 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -TRIVENIGANJ District- SUPAUL

- =====
1. Bablu Yadav @ Raj Kishor Yadav Son of Chandeshwari Yadav
 2. Bijendra Yadav S/o Anant Yadav
 3. Manoj Yadav S/o Shivjee Yadav
 4. Sanjay Yadav S/o Shivjee Yadav
 5. Bhupendra Yadav S/o Anant Yadav
- All Resident of village- Daparkha, P.S.- Triveniganj, District- Supaul.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Pramod Mishra, Advocate

For the State : Mr. Sri Surendra Kumar, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 05-07-2016 I have heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case registered for offences punishable under Secbtions 147, 149, 341, 323, 324, 325, 326, 307 and 379 of the Indian Penal Code.

It is contended on behalf of the petitioners that there is delay of about 11 days in lodging the First Information Report and there is a case and counter case between the parties. It is apparent from Annexure 2 that the informants' parties were

trying to encroach the public land obstructing egress and ingress of the house of the petitioners which was being resisted by them and that was the cause of lodging false first information report as there is no injury report which also falsifies the alleged occurrence.

It is contended on behalf of the State that as would be evident from the order of the Sessions Judge that petitioner Bablu Yadav is having criminal antecedents but no case number etc. has been disclosed anywhere whereas learned counsel for the petitioner submits that he is having clean antecedent.

Considering aforesaid facts and circumstances of the case, let the petitioners, namely, Bablu Yadav @ Raj Kishor Yadav, Bijendra Yadav, Manoj Yadav, Sanjay Yadav and Bhupendra Yadav be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Triveniganj P.S. Case No. 24/2016, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Supaul subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

However, at the time of furnishing bail bonds the

court below would verify the criminal antecedents of the petitioner no. 1, Bablu Yadav @ Raj Kishor Yadav and if he is found involved in any criminal case prior to the date of the order passed by the Sessions Judge then he would be taken in custody.

(Dr. Ravi Ranjan, J)

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