

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40725 of 2016

Arising Out of PS.Case No. -125 Year- 2016 Thana -MAHARAJGANJ District- SIWAN

1. Birendra Yadav son of Lalu Yadav
2. Smit Sharma @ Sumit Kumar Sharma Son of Bhuneshwar Sharma @
Yugeshwar Sharma Resident of Village-Bishunpur Mahuari, P.S.-
Maharajganj, District-Siwan

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Mishra

For the Opposite Party/s : Mr. Sri Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Maharajganj P.S. Case No. 125 of 2016, disclosing
offences under Sections 323, 325, 341 and 308/34 of the
Indian Penal Code.

It has been alleged in the First Information Report
that the petitioners started assaulting the informant without any
rhyme or reason.

Learned counsel, appearing on behalf of the
petitioners, has submitted that the petitioners have been
implicated in this case for ulterior purpose. According to him,

there is no allegation of assault on the vital part of the body. The petitioners have no criminal antecedent as stated in paragraph no. 3 of the application.

Considering the above submission, this application 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Maharajganj P.S. Case No. 125 of 2016, 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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